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BIBLIOGRAPHY OF TEXAS

1795-1845

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By

THOMAS W. STREETER

Part I. Texas Imprints

VOLUME II

1839-1845

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TEXAS IMPRINTS

TEXAS IMPRINTS

1839

310. COAHUILA AND TEXAS (*Mexican state*). LAWS.

Laws and Decrees of the State of Coahuila and Texas, in Spanish and English. To which is added the Constitution of Said State: also: the Colonization Law of the State of Tamaulipas, and Naturalization Law of the General Congress. By order of the Secretary of State. Translated by J. P. Kimball, M.D.

Houston. Telegraph Power Press. 1839.

Blank leaf, leaf of title, verso blank; 351 leaves (half title, in Spanish, on recto of the first leaf; text in Spanish and English on opposing pages numbered in duplicate 4-353 from the verso of the first to the recto of the last of these leaves, verso of last leaf blank); Index to the Laws and Decrees, 6 p.; Index to the Constitution [1] p.; Errata in the Spanish, 4 p.; Errata in the English [1] p.; Omissions and Corrections [2] p.; Inadvertence in the Original [1] p. 22.1 cm.

Issued in two parts, in plain paper wrappers. The first part ends with p. 149 of the Spanish text and the text of the second part begins with p. 149 of the English text, the main title being issued with the second part and preceding p. 149 of the English text.

The report on printing of November 5, 1838, by Secretary of State Irion in House Journal, Third Congress, p. 21-23, says that difficulty in finding a suitable translator had delayed the publication in English of the Laws of Coahuila and Texas, but "I finally engaged Doctor John P. Kimball, who has labored diligently during the last summer in translating them, which he has completed and is now superintending their publication. The work will be one octavo volume, printed in Spanish and English, comprising about three hundred pages, and will issue from the press during the present month." Because of duplicating the page numbers for the Spanish and English text, the two parts as published had over 700 pages.

I do not know the exact date of publication, but it was probably early in 1839, for in Burnet's report as Acting Secretary of State, dated November 6, 1839, modern *Journals of the Fourth Congress*, Vol. III,

p. 31, it is stated that since the previous report on printing of November 5, 1838, two thousand copies each of the first and second parts of the *Laws of Coahuila and Texas* had been delivered and in part distributed; about 1,400 copies of each part being then on hand.

Kimball enters here, by title or in full, forty-one decrees of the Constituent Congress for the period 1824 to 1827, and three hundred and twenty-five decrees of the Constitutional Congress for the period 1827-1835, as well as various addresses and *iniciativas*, such as those addressed to the Mexican Congress by the State Legislature in April and May, 1835. In the numbering of the decrees, Number 145 of the Spanish and 144 of the English are repeated once, and there is no Number 162. A number of decrees, such as rules of various bodies and the charters of various towns referred to as "Municipal Ordinances," are entered only by title. The first printings of a number of the decrees of Coahuila and Texas are of considerable rarity, and those of particular importance, such as the first charters of some of the Texas cities and decrees given in Kimball only by title, are entered in Part II of this Bibliography.

The English text of these *Laws and Decrees* is printed in Gammel, Vol. I, p. [111]-473.

Raines, p. 228. Sabin 94948.

LOCATIONS: CU-B (lacks second part). CtY. DLC. MH. NN. Tx. TxU. TxWFM. DeGolyer. TWS (two parts rebound, and first part in original wrapper). Also 24 others.

Except as noted the copies in the libraries listed above are rebound and include both parts. In most cases the title page, issued with the second part, has been bound at the beginning of the volume.

311. CUSHATTE. PROPRIETORS.

Certificate of stock in the Town of Cushatte. Amount of Stock. 1.000 Shares. This certificate entitles _____ to One Share of Stock in the Town of Cushatte, on the Trinity River; the original Proprietors being Samuel Whiting, William M. Logan, William P. Harris, and Robert Wilson . . . Cushatte, [blank for date] 18— [Blanks for signatures of the four] Proprietors.

Intelligencer Office. [Houston. 1839?]

Broadside. 12.5 x 18.4 cm.

At left and right, respectively, of title: No. — [and] One Share \$100. Though the four "proprietors" of the town listed on the certificate were all well known Texans and the subject of articles in the *Handbook of Texas*, only one of the biographical sketches, that of William P. Harris, mentions this proprietorship, and there is no reference to the town in the *Handbook of Texas*. The issue of the *National Intelligencer* for June 27, 1839, has almost an entire column on the town, where it is described as being "on the east bank of the Trinity River, ten miles above the town of Liberty, on a high and beautiful eminence known as Tanner's Bluff." William M. Logan, one of the four proprietors named in the certificate, was the agent of the town. There are provisions for "Houses of Public Worship, Seminaries and Schools;" and also for a "Market House, a Town Hall and Court House."

The certificate from which this entry was made has the date June 10, 1839, filled in.

LOCATIONS: TxHSJM.

312. EDWARDS, HADEN, 1771-1849.

Terms of Sale for the Towns of Fredonia & Cotton-Plant, Lying on the Sabine River. The first on the South, the latter on the North side of said River, about forty miles apart by water, being the two upper sites on said River as depots for the most extensive and valuable section of all Texas . . . Two Thousand Lots, making Four Hundred Shares in Each, of Five Lots to the share. Price of shares One Hundred Dollars in Good Money . . . [Signed and dated at end:] Haden Edwards. Nacogdoches November 14 1839.

[San Augustine: Printed at the Red-Lander Office. 1839.]
Broadside. 19.5 x 24 cm.

Haden Edwards is well known in Texas history for the controversies relating to the colony he promoted in the Nacogdoches area in 1825. There, while Haden was in the United States, his brother Benjamin began the Fredonian Rebellion late in 1826. I have not been able to locate the "two upper sites" on the Sabine River of these two towns, and as far as I know they were never located. Edwards describes their possibilities in glowing terms and ends the prospectus by saying, "If

I could be placed back forty years with a prospect of reaching my present age," one hundred dollars for one lot instead of for five lots would have been asked, but "as my race is nearly run, I only feel solicitous for the improvement of the country, and not self-interest."

LOCATIONS: TxNacT.

313. FOWLER, JOHN HOPKINS, 1789-1873.

To the Voters of Red River County. [Text begins:] Fellow-Citizens — The session of Congress, for which you elected me one of your Representatives, having come to a close, I deem it . . . my solemn duty . . . to lay before you . . . some of the leading measures adopted; and . . . the course which I pursued in relation thereto . . . [Signed and dated at end:] J. H. Fowler. Clarksville, Red River county, Feb. 19, 1839.

[At end:] *Intelligencer* Office, Houston. [1839.]

4-page folder printed on first [2] pages. 23.5 x 19 cm.

It appears from a letter of James Burke's, dated March 15, 1839, written on the back of the copy of this folder now in the Littleton Fowler Papers at the University of Texas (Littleton Fowler was a brother of John H. Fowler), that Burke, then assistant editor of the *National Intelligencer* at Houston, had written this circular, "for your bro at his request." There are sketches of J. H. Fowler and James Burke in the *Handbook of Texas*.

LOCATIONS: TxU.

FREEMASONS, *Texas*. GRAND LODGE.

Circular . . . to the Masonic Fraternity, dispersed over the Superfices of the Globe . . .

See Part III of this Bibliography, under the year 1838. This Circular was printed in New York, probably in 1838, but apparently not issued until 1839, since the only copy located thus far is dated in manuscript February 25, 1839.

314. FREEMASONS, *Texas*. GRAND LODGE.

Masonic Kalendar. Grand Lodge of the Republic of Texas, Established in Convention by Delegates duly authorised by the W. Holland Lodge No. 36, at Houston; Milam Lodge

No. 40, at Nacogdoches, and McFarlane Lodge No. 42, at San Augustine, in the Republic of Texas, under the authority of Charters from the M. W. Grand Lodge of Louisiana, assembled at the City of Houston on the 20th day of December, A.L. 5837. . . . [Followed by rosters of officers of the Grand Lodge and of the nine subordinate lodges, with dates when the latter were constituted. Dated and signed at end:] Geo. Fisher, Grand Secretary G. L. R. of T. City of Houston, A. D. 1839, A. L. 5839.

Telegraph Press. [Houston. 1839.]

Broadside in two columns, within border of type ornaments. 55 x 42 cm.

That some copies were printed without an imprint is shown by the copy at the Pennsylvania Grand Lodge Library.

This broadside with its dates, sometimes of when one of the first nine lodges was "constituted," sometimes of the charter, sometimes of when the lodge first convened, and sometimes of "dispensation granted" (May 10, 1838-April 4, 1839), and with its lists of their officers, gives useful information. It lists two lodges at Houston, and lodges at Nacogdoches, San Augustine, Brazoria and Columbia (one lodge), Matagorda, Washington, and De Kalb. The officers of a lodge at Galveston, not yet finally organized, are given. The interesting article on Freemasonry in the *Handbook of Texas* says that Holland Lodge opened at Brazoria on December 27, 1835.

In the two-volume *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, there is on p. 43 of the first volume a resolution of the Grand Lodge adopted December 30, 1838, calling for setting up this "Masonic Almanac" and the printing of 250 copies. The broadside is reproduced on p. 180 of the *Texas Grand Lodge Magazine*, Fort Worth, Vol. II, No. 5 (April, 1937), where it is incorrectly stated that it was published at Austin.

LOCATIONS: DSC. PPFM. TxWFM.

315. GALVESTON.

Galveston City, To His Excellency, the Admiral Baudin, Commander-in-Chief of his most Christian Majesty's Blockading Squadron off the Coasts of Mexico: We, the Mayor and Aldermen of the City of Galveston [etc., offering the freedom

of the city "in consideration of your gallant deportment at the siege and capture of St. John de Ulloa," dated at end, May 14, 1839, and signed by John M. Allen, Mayor, eight Aldermen, including Gail Borden, jr., and other officials.]

[At end:] Gladwin & Mims, Printers. [Galveston. 1839.]

Broadside. 23.5 x 36.5 cm. Printed on silk.

This broadside should be dated May 13, instead of May 14, as the festivities took place on the former day. The San Jacinto Museum also has the original letter, written in excellent English by Admiral Baudin and dated May 13, 1839, thanking the Mayor and Aldermen of Galveston for their courtesies. The text of the broadside and Admiral Baudin's reply are published in the *Galvestonian* for May 16, 1839 (copy at the University of Illinois).

For a short account of the visit of the French officers to Brazoria, Houston, and Galveston see Blanchard and Dauzats, *San Juan de Ulúa*, Paris, 1839, p. 522-525.

LOCATIONS: TxHSJM.

316. GALVESTON. CHRISTMAS EVE BALL.

[Invitation dated Galveston, December 4th, 1839, signed by A. Turner and nine other managers, including P. J. Menard and Levi Jones, to "a Ball to be given at the Tremont House on Tuesday evening the 24th nist (*sic*)."]

[Galveston: Printed at the Civilian Office. 1839.]

Broadside. 19.5 x 12.5 cm.

Entered from a copy at TxU now missing; photostat in TWS.

317. GALVESTON. SAN JACINTO BALL.

San Jacinto Ball. [Invitation dated Galveston, March, 1839, signed by Levi Jones and eleven other managers, to a ball "to be given on Monday Evening, 22nd of April, at the New Hotel, in commemoration of the Battle of San Jacinto."]

[Galveston: Printed at the Civilian Office. 1839.]

Broadside. 11.9 x 11 cm.

LOCATIONS: TxAuDR (printed on white silk).

318. HAMILTON. COMPANY OF THE TOWN OF HAMILTON.

... Constitution of the Company, of the Town of Hamilton. [Text begins:] Whereas, there has been a Town laid off on the West side of the Sabine upon a tract of land granted to Wm. Kerr by the Republic of Texas . . . and said Town has been divided into six shares which are held by Sam Houston, Wm. Keer [i.e. Kerr, and four others.] . . . we, the shareholders, of the original shares, do adopt . . . the following Constitution. . . . [Dated at San Augustine, April 28, 1839 and signed:] Sam. Houston, Wm. Kerr, [and four others].

[San Augustine: Printed at the Red-Lander Office. 1839.]

Broadside. 37 x 19.5 cm.

At head of title is star with letters, T E X A S, one in each point.

The other four incorporators of the town, in addition to Kerr and Houston, were Philip A. Sublett and his nephew Henry W. Sublett, A. G. Kellogg, and Dexter Watson. All but Watson are the subject of sketches in the *Handbook of Texas*. Hamilton is shown on the 1845 edition of the Hunt and Randel *Map of Texas* as being located on the Sabine in Shelby County at the mouth of Tanaha Creek. It is also shown on the Creuzbaur map of 1849, but at the mouth of Marlines Bayou somewhat to the south. The town of Hamilton of present-day Texas is in Hamilton County, west of Waco, Texas.

This Constitution is interesting for the light it throws on the financing of these towns. There were to be fifteen hundred lots, none to be sold for less than \$200 a lot, and \$300,000 in scrip in lots of \$50,000 each was issued to the six incorporators in payment for the property turned over to the town. All scrip presented in payment for lots was to be cancelled.

LOCATIONS: Privately owned. Photostat at TxU.

319. HARRISBURG, *pseudonym*.

To the voters of the Senatorial District composed of the counties of Harrisburg, Liberty and Galveston. [Text begins:] To the Public: The friends of Doct. Francis Moore, feeling a deep interest in the approaching election for Senator . . . deem it proper that he should be placed before the people in his true light . . . [Followed by three letters to the editor of

the *Houston Morning Star* dated, respectively, Aug. 16, 21, and 27, 1839, and signed, Harrisburg.]

[Houston: Printed at the Telegraph Office for the Editor of the *Morning Star*. 1839.]

Broadside in four columns. 60.1 x 42.9 cm.

These three letters by "Harrisburg" are largely devoted to severe criticism of Dr. Moore's two opponents for the Senate, Robert Barr, Postmaster General under both Houston and Lamar, and A. S. Thruston, Quartermaster General under Houston. Barr is especially criticized for his activities in securing one of the eleven-league grants and for being in fact a resident of Robertson County, above the Falls of the Brazos. Dr. Moore won the election and Barr died shortly afterwards on October 11, 1839.

I have not been able to learn "Harrisburg's" real name. Thruston is called "Thurston" in the *Handbook of Texas* and in the index to the *Writings of Sam Houston*, but the sketch of him in the *Writings*, the House Journals, and this broadside all refer to him as "Thruston."

LOCATIONS: TxGR.

320. HARRISBURG. TOWN COMPANY.

Town of Harrisburg. This Certificate of the Consolidated Stock of the Town of Harrisburg, Entitles _____ ... to receive from the Agent of John Birdsall, David G. Burnet, and John W. Moore, Trustees, for the benefit of the holders of these Certificates, one Share of the net proceeds of the Sales of Property in said Town. . . . Attest: [Blanks for signatures of President, Trustees, Board of Directors and Agent for the Trustees.] Harrisburg, [blank for date] 18—

[Houston: Printed at the Telegraph Office. 1839.]

Broadside. 17 x 20.5 cm.

At left and right, respectively, of title: No. — [and] — Shares.

The certificate at the San Jacinto Museum is made out for 400 shares to "Mrs. Mary Jane Briscoe," signed by Stephen Richardson as President and by A. Briscoe as Agent for the three trustees named in the certificate, and is dated July 4, 1839. Mrs. Briscoe was the daughter of John R. Harris, who had founded the town of Harrisburg in 1826. The town was incorporated in 1837, and on June 23, 1839, or shortly

before the date of the certificate referred to here, was consolidated with Hamilton, on the opposite side of Buffalo Bayou, under the name of the Harrisburg Town Company. Moore, one of the incorporators, was a signer of the Declaration of Independence. Birdsall was a brother-in-law of the Allen brothers who founded Houston, and Attorney General of Texas for a part of Houston's first administration. For a prospectus of this company see here under 1840, No. 389.

LOCATIONS: TxHSJM.

321. HOUSTON. ANNIVERSARY CELEBRATION.

Order of Procession. [Official celebration of anniversary of Texan Independence held at Houston, March 2, 1839.] . . . The Procession . . . will move at 12 o'Clock precisely, to the Capitol, where the Declaration of Independence will be read by A. C. Hinton, Esq., and an Oration delivered by Henry Thompson, Esq. The Ladies of Houston are invited, and appropriate seats will be provided for them. [At end:] By order of the Committee, E. Moorhouse, Marshal of the day. Houston, March 2, 1839.

[Houston: Printed at the Telegraph Office. 1839.]

Broadside. 32 x 27 cm.

In the order of procession, the "Clergy" are followed by "President, Vice-President and Suite," then "Foreign Ministers." "Heads of Departments and Clerks" precede "Chief Justice of the Republic and Officers of the Supreme Court." "Officers of the Army and Navy" come next to last.

For a note on Henry Thompson, the orator of the day, see note to an oration delivered by him in 1839 on the anniversary of Texas independence, No. 376 here.

LOCATIONS: TxU.

322. HOUSTON POST OAK JOCKEY CLUB.

[By-Laws, Rules, and Regulations of the Houston Post Oak Jockey Club.]

[Houston. 1839.]

No copy located, but the report of a meeting of the Club "held at Kesler's Arcade, on Monday the 23rd" of September, 1839, published

in the *Telegraph and Texas Register*, September 25, 1839, includes a record that these by-laws and a resolution "that two hundred copies . . . be printed for the use of the Club," were submitted at the meeting.

323. HOUSTON THEATRE.

Houston Theatre, City Exchange, Main-st. Continued Novelty! Washington's Birth-Day. "Hail Sons of Liberty." . . . Friday Evening, Feb. 22, [1839] will be presented the 3d, 4th and 5th acts of Damon and Pythias, or, the test of Friendship! . . . After the Play, National Song, "The Texian Star," . . . The whole will conclude with, for the third time in this city, the nautical drama of the Floating Beacon or, Norwegian Wreckers. . . . Programme, Incidents, &c. Act 1st, Scene 1st, . . . [Houston: Printed at the Telegraph Office? 1839.]

Broadside. 58 x 25 cm.

For a program for a performance at a Houston theatre given a few months earlier, June 11, 1838, see the entry here under the year 1838, [Houston, Texas.] Theatre. No. 239. In this 1839 performance, the leading actors were Mr. Lewellen and Mr. Waldron.

LOCATIONS: MH (lacks all after the line "Act 1st, Scene 1st,").

324. MABBITT, LEONARD H.

To the Independent Voters, Composing the Militia of Texas. [Text begins:] Fellow-Citizens; Aware that by the resignation of Thomas J. Rusk, we are now without a commanding General . . . I . . . have been induced to offer you my name as a candidate for the office of Major General. . . . [Signed and dated at end:] Your Fellow-Citizen, L. H. Mabbitt. San Augustine, April 15, 1839.

[San Augustine: Printed at the Red-Lander Office. 1839.]

4-page folder printed on page [1]. 31 x 19.8 cm.

In this address Mabbitt states, "The Major part of my life from earliest youth to the present time, has been spent in the service of my country, both as a private soldier as well as a commanding officer."

While I do not find him listed in any of the usual reference works, George L. Crocket in his *Two Centuries in East Texas*, Dallas, 1932, speaks of him as a captain of a company organized on April 1, 1836, which got to San Jacinto just too late to take part in the battle, and gives a brief sketch of him.

The text of this address is given in the *Lamar Papers*, No. 1203, Vol. II, p. 532-533.

LOCATIONS: Tx (printed with gilt ink).

325. MILAM GUARDS, *Houston*.

Constitution and By-Laws of the Milam Guards. Established August, 1838.

Houston: Telegraph Power Press. 1839.

11 p. 18.8 cm. Marbled wrappers.

Under date of January 23, 1840, the Committee on Military Affairs of the Texas Senate gave a report in favor of "An Act to incorporate the Milam Guards at the City of Houston" (*Journal Fourth Congress*, Vol. I, Senate, p. 288-289). The act, naming seven incorporators, was approved by Lamar on February 5, 1840, and is given in *Laws . . . Fourth Congress*, Houston, 1840, p. 236-237. The committee report praised the patriotism of the group, and their recommendation that the Guards be exempted from "common militia drills" and payment of the road tax was included in the act.

Under the Constitution, the title of the chief officer was Captain and there were provisions for an initiation fee of five dollars and a quarterly tax of three dollars. There was to be a company parade on the first Monday of each month and drills every Tuesday and Friday. No names of officers or members appear.

For a very similar constitution and by-laws see the *Constitution and By-Laws of the Travis Guards*, Austin, 1840, No. 430 here.

Captain Joseph Daniels, who was captain first of the Milam Guards and later of the Travis Guards, is the subject of an interesting sketch by Adèle Looscan in *Quarterly*, Texas State Historical Association, for July, 1901, Vol. V, p. 19-27. Here various orders given to or by Daniels as captain of the Milam Guards and of the Travis Guards are printed.

LOCATIONS: TxU.

326. PARKER, JAMES W., 1797-ca. 1865.

Defence of James W. Parker, against slanderous accusations preferred against him.

Houston. 1839. [On verso of title:] Telegraph Power Press.
1000

7 p. 20 cm.

The text begins on page 3, "To the Citizens of Montgomery County, Texas: My Fellow Citizens," and is signed and dated at the end, "your fellow citizen, James W. Parker. Dated at Houston, January the 22d, 1839."

Parker is well known in Texas history as one of the members of the family which in 1835 built Fort Parker on the Navasota River, where in the famous massacre by the Comanches of May 19, 1836, many of the family were killed, and his daughter, Mrs. Rachel Plummer, and his niece, Cynthia Anne Parker, were among those taken captive by the Indians. Entered here under Mrs. Rachel Plummer in the year 1838 is a narrative of Rachel's captivity, said to have been written by her, of which no copy has been located, and in Part III is Parker's *Narrative*, Louisville, 1844, describing the massacre and his efforts to ransom his daughter Rachel.

This rare *Defence* is a most interesting piece, for here Parker defends himself against three shocking charges. One was that when living at Parker's Fort he was associated with the Indians in stealing horses from the whites and then cheated the Indians out of their share of the loot by giving them counterfeit money. Another was that of being a counterfeiter in Illinois before coming to Texas, and the final charge that of murdering a Mrs. Taylor and her daughter in the spring of 1837 as a step in the robbery of a house belonging to a Major Hadley. As might be expected, Parker makes an indignant denial of all this.

It might be noted here that Parker's *Narrative* published at Louisville in 1844 does not always agree as to dates with those in the sketch of him in the *Handbook of Texas*. In his *Narrative* Parker says he was born in Georgia, not "Tennessee or Georgia," on July 4, 1797, and that the family moved to Illinois in 1814, and not in 1817. Parker says he arrived at Texas in February, 1831, and not 1832, and that Parker's Fort was built in 1835, not 1834.

LOCATIONS: DLC.

PLUMMER, Mrs. RACHEL (PARKER).

[Narrative of the Capture and Subsequent Sufferings of Mrs. Rachel Plummer. 1839?]. See under the year 1838. No. 242 here.

327. REID, JOHN R., d. 1841.

An Address delivered on the Anniversary of St. John the Baptist, before the Society of Ancient York Masons, by John R. Reid of Temple Lodge, No. 4. Houston, Texas, A. L. 5839.

Houston Telegraph Press. 1839.

16 p. 19.4 cm. Printed paper wrappers.

First part of wrapper title similar, but with addition at end: "Published by order of the Fraternity. A. Ewing [and four others], Committee," and with varying imprint: "Houston: Printed at the Telegraph Office. 1839."

This is an address on Masonry in which St. John the Baptist is held up as a model. Either this or the *Masonic Kalendar*, also entered here under the year 1839, seems to be the first separate publication in Texas of Masonic material. The Anson Jones *Address* of May 18, 1838, before Holland Lodge No. 1 was printed in New York and is entered here in Part III.

About all I have been able to find out about Reid comes from the *Lamar Papers*, which show that he was a friend of Lamar's, by whom he was appointed district attorney for the first and second judicial districts, probably in 1839, and that in 1841 he asked for an interim appointment as judge in the first district. This district included Harrisburg.

LOCATIONS: PPFM. TxH. TWS (lacks wrappers).

328. RUTERSVILLE. PROPRIETORS.

Rutersville, Texas [Circular, signed and dated at end, "W. P. Smith Secretary R. Alexander Pres. Board of Trustees April 10th 1839," announcing the incorporation of the town of Rutersville, and that lots are for sale, and also announcing

"The Ruttersville College and Academies." Text begins:] The town of Ruttersville is situated 5 miles from the Colorado River, east of La Grange — 125 miles above Matagorda Bay, and 40 below Bastrop. . . .

[Houston: Printed at the Telegraph Office. 1839.]

[Broadside?]

A previous circular, No. 243 here, dated October 18, 1838, had spoken of the intention to establish a college at Ruttersville. Although it is stated here that Ruttersville, and her literary institutions under the name of "The Ruttersville College and Academies," were incorporated by the last Congress, the college was not incorporated until February 5, 1840. It is also stated here that the Reverend Chauncey Richardson had been elected President and was expected to take office by January 1, 1840. As a matter of fact, according to the *Handbook of Texas*, he assumed his duties in November, 1839, and the school opened on February 1, 1840. For an interesting report on the proposed charter of the college, presented to the Texas Senate on December 31, 1839, by its Committee on Education, see the modern *Journals of the Fourth Congress*, Vol. I, Senate, p. 191; and for the first and second catalogues, see here under 1840, No. 398, and under 1842, No. 521.

Though the University of San Augustine, with its charter dated June 5, 1837, seems to have been the first college chartered in Texas, it did not begin operations until September, 1842.

No copy located, but at a meeting of the proprietors held July 3, 1839, it was reported that 300 copies had been published at the office of the Telegraph. See p. 249-252 of Miss Anne A. Lide's typed master's thesis, *Robert Alexander and the Early Methodist Church in Texas*, submitted at the University of Texas in 1934, giving a transcript of the circular.

329. SABINE. COMPANY OF THE CITY OF THE SABINE.

. . . Certificate of Stock in the City of Sabine; Republic of Texas. This Certificate entitles the Holder to the Two Thousandth [*sic*] Part of the City of Sabine; the original Proprietors being Sam Houston . . . and others [6 listed by name] . . . [At end:] City of Sabine, [blank for date] 1839. [Blank for signature of:] Agent for Proprietors.

[Along left margin:] Telegraph Press—Houston. [1839.]
Broadside. 9 x 17.2 cm.

At head: "250 No.— 250 Amount of Stock, 2,060 Lots." Illustrated with cuts of ship under full steam, locomotive drawing freight car, etc. Certificates were also issued for \$500 and \$1000, with appropriate changes.

See the note to the next entry.

LOCATIONS: TxGR (\$500). TWS (\$250).

330. SABINE. COMPANY OF THE CITY OF THE SABINE.

[Constitution of the Company of the City of the Sabine.]

[Houston? Printed at the Telegraph Office? 1839?]

The text of the *Constitution*, signed at the end on January 19, 1839, by Sam Houston, Philip A. Sublette, Niles F. Smith, John S. Roberts, A. G. Kellogg, George W. Hockley, agent for the heirs of John R. Dunn, and W. Douglass Lee, provided that each original stockholder was to receive scrip in the sum of \$62,500, which, with the seven stockholders listed "and others," made a total of \$500,000. The scrip was to be in denominations of one thousand dollars, five hundred dollars, and two hundred and fifty dollars, and was to be received at par in the purchase of lots. The city was to be laid off on the west side of the Sabine Pass. A glowing advertisement entitled, "Proprietor's Notice. Concerning the City of Sabine," dated City of Sabine, May 1, 1839, and signed by Houston, Sublette and others is given in the *Writings of Sam Houston*, Vol. II, at pages 312-313. It reads as if the town had just been laid out.

Both my example of the \$250 certificate and the \$500 certificate in the Rosenberg Library are dated in manuscript January 24 [1839], and signed by Niles F. Smith as "Agent for Proprietors." Dr. William E. Howard in his *Romance of Texas Money*, Dallas, 1946, reproduces in facsimile on p. 25, but without comment in his text, an example of a \$1,000 certificate.

There is at the Texas State Library a certificate for \$500 of the capital stock of a company described as the Sabine Town Company, with the date filled in as "Sept. 10th [18]39" and with the agent's name in manuscript, "S. Slade Barnett." This \$500 certificate, printed at New Orleans and entered in Part III under 1839, was for "One Two hundredth" part of the capital stock, indicating a total capitalization of

\$100,000 as compared with the \$500,000 named in this Constitution of the Company of the City of Sabine.

A good many years ago I saw advertised a certificate, "Sabine City, Republic of Texas. No. Acres 2560, No. lots Surveyed 5000." This certificate was described as dated Sabine City, May, 1839, and "signed in autograph by James S. Holman, the original proprietor of the town." This had the imprint of the Telegraph Press, Houston.

The *Handbook of Texas*, under an entry for Sabine Pass, Texas, says the town was laid out in 1836 by Sam Houston and Philip A. Sublette, "who called their projected town Sabine City," with the name changed, presumably to Sabine Pass, in 1839, "although maps of 1841 still showed the town as Sabine City." We accordingly have references at about the year 1839 to towns called City of Sabine, Sabine City, and Sabine Pass. The present population of the town is estimated by the *Handbook of Texas* as eight hundred.

No copy located, but title from a typescript in the Library of the University of Texas of a copy of the Constitution found in 1930 in the Charles S. Taylor papers, then in the possession of his granddaughter, Miss Laura Taylor of Nacogdoches. Miss Taylor is now dead and the present location of her copy is not known.

331. SAN AUGUSTINE. ANNIVERSARY BALL.

[Invitation, without date, signed by J. G. Littlefield and nine other managers, "to a Ball, to be given at the City Hotel on the 2d March next, in celebration of the Anniversary of the Declaration of Independence."]

[San Augustine: Printed at the Red-Lander Office. 1839?]

Broadside. 18 x 12.5 cm.

Since this invitation has six managers in common with invitations dated at San Augustine in October and December, 1839 (Nos. 332 and 333 here), and is printed in the same type, it was probably printed at the office of the *Red-Lander* in 1839. All three parties were given at the City Hotel.

LOCATIONS: Privately owned. Photostat at TxU.

332. SAN AUGUSTINE. CHRISTMAS EVE COTILLION.

[Invitation dated San Augustine, Dec. 16, 1839, signed by W. R. Scurry and seven other managers, "to a Cotillion Party,

to be given at the City Hotel on Tuesday Evening, the 24th day of December, 1839.”]

[San Augustine: Printed at the Red-Lander Office. 1839.]

Broadside. 14 x 12 cm.

This invitation is reprinted in the *Southwestern Historical Quarterly* for January, 1941, Vol. XLIV, p. 365. Scurry later became a distinguished general in the Confederate army.

LOCATIONS: Privately owned. Photostat at TxU.

333. SAN AUGUSTINE. HOUSTON BALL.

“Hail to the Chief who in triumph advances!” Houston Ball. . . [Invitation dated San Augustine, October 24, 1839, signed by Wm. Kimbro and seven other managers, “to a Ball, to be given at the City Hotel, in San Augustine, in honor of Gen. Sam Houston, on Monday Evening, the 28th inst.”]

[San Augustine: Printed at the Red-Lander Office. 1839.]

Broadside. 19.5 x 12.5 cm.

LOCATIONS: Privately owned. Photostat at TxU.

334. SMITH, ASHBEL, 1805-1886.

An Account of the Yellow Fever which appeared in the City of Galveston, Republic of Texas, in the Autumn of 1839, with Cases and Dissections. By Ashbel Smith, M. D. A. M. ex-Surgeon General of the Texian Army.

Published by Hamilton Stuart, Galveston; Cruger & Moore, Houston; and J. W. Cruger, City of Austin. 1839.

vi. p., blank leaf, [5]-78 p., errata [1] p. 21 cm.

A reprint of *Yellow Fever in Galveston* with an excellent preliminary statement and a biographical sketch of Smith, both by Chauncey D. Leake, was published by the University of Texas Press at Austin in 1951. Dr. Leake in his preface pays high tribute to this *Account* and after comparing it with remarks made by Sir William Osler seventy years later, says, “A comparison of Smith’s account with Osler’s statements indicates the high quality of Smith’s clinical ability” (Preface, p. ix).

Dr. Leake tells us that Smith had previously published at New York, in 1832, an account of the cholera epidemic at Paris in 1832, and that as a result of his contributions to the *American Journal of the Medical Sciences* he had been asked to serve as one of its associate editors. This leads one to think that he was perhaps the Dr. Smith referred to in the following quotation from the *San Luis Advocate* of October 20, 1840:

Doct's Richardson and Smith propose to edit a Medical and Surgical Journal, to be published in the office of the San Luis Advocate, at the city of San Luis. . . . The first number will appear in January next. It will be published quarterly, and contain about sixty-four pages, octavo. . . . Being the first Journal wholly of a literary character, or devoted entirely to professional pursuits, which has been started in Texas, we feel much interested in its success, and commend the enterprize with our warmest advocacy.

There is a shorter announcement to the same effect in the *Telegraph* for November 4, 1840. As far as I know the proposed *Journal* was never published.

In the preface Dr. Leake prints, p. xi-xii, a letter of Smith's written from Houston on November 29, 1839, transmitting to a friend "the body of my pamphlet on Yellow Fever. The cases & autopsies are in the printer's hands upwards of thirty in number and shall be forwarded as soon as printed." I also have in my collection a large uncut copy of this "body" of the pamphlet, p. [5]-36, apparently one of those which Smith sent to some of his friends before the preface and the list of cases were printed.

Dr. Leake also reprints an earlier letter of Smith's, dated City of Galveston, Texas, October 21, 1839, in which he mentions that he is writing an account of yellow fever which he promises to send his correspondent, and continues, "One reason for publishing it in pamphlet is a sort of vanity to publish the first medical essay in and concerning Texas." As a matter of fact this is the second Texas medical book, the first being Léger's *Essay*, Brazoria, 1838, No. 240 here.

Though Smith's letter of November 29 from Houston and the type and style of printing suggest that this was printed at Houston by Cruger & Moore, nevertheless a reference to it in the *Houston Morning Star* of March 2, 1840, saying that it appeared in Galveston in the fall of 1839 and the fact that Galveston comes first in the imprint are evidence that the book was printed at Galveston.

Hamilton Stuart, whose name comes first in the imprint, had an interesting career in Texas as newspaper editor and publisher. It appears from the article, "Hamilton Stuart: Pioneer Editor," in the *Southwestern Historical Quarterly* for April, 1918, Vol. XXI, p. 381-

388, that he reached Texas in January, 1838, and after being for a short time an editor of the *National Banner*, was for two or three months connected with a weekly at Houston, the *Civilian*, which first appeared May 8, 1838, and ceased operations that summer. On September 28, 1838, Stuart began at Galveston the publication of the *Civilian and Galveston Gazette* and was the leading spirit of that newspaper until January, 1874. At that time he became an editor of *The News*, another Galveston paper, and continued there as editor until his death in 1894.

Raines, p. 189. Sabin 82341.

LOCATIONS: CtHWatk. CtY. DLC. DSG. MB. MBM. NBMS. NHi. NN (lacks errata). NNNAM. NRU-M (lacks p. [1]-iv). PPCP. TxU. TWS.

335. SMITH, ASHBEL, 1805-1886.

[Letter addressed to James Armstrong, Esq., dated at beginning, Houston, June, 1839. Text begins:] Sir — I am informed by your letter, now lying before me, that Stephen H. Everitt contineus [*sic*] to repeat his calumnies of me. I might well suffer them to go uncontradicted, *as he never had the spirit to resent, as a man, a severe HORSEWHIPPING which I gave him . . .* [Signed at end:] Ashbel Smith. Note.—The above letter was written some time since . . .

[Houston: Printed at the National Intelligencer Office. 1839.]

4-page folder printed on first [3] pages. 32.5 x 19.6 cm.

The publication by a leading Texan of this bitter personal attack on the then President pro tem. of the Senate, who is characterized as having had to flee from Nacogdoches to avoid a coat of tar and feathers, is illustrative of the temper of the times. Smith's attack and his own defense followed Everitt's presentation of a resolution in the Senate on January 7, 1839, to inquire into the Surgeon General's department. The Senate Journal of the Third Congress records on the same day a petition "from the Surgeon General" charging Everitt with "subordination" of a witness and asking for a committee of investigation. It goes on to record that on the same day, Everitt was unanimously requested by the Senate to retain his seat in the Senate,

and that on the next day a committee report, branding Smith's charges against Everitt as unfounded, was presented. Another motion on that day, asking the President to remove the Surgeon General from his post, was passed and then reconsidered. On January 21, 1839, the Journal records that Everitt made an unfavorable report on Smith, and "Mr. Burton, one of the Committee, made a statement more favorable than that of the Chairman." That it was indeed more favorable is shown by Smith's statement that the report to Congress signed by Burton and William H. Wharton, the third member of the committee, said in part: "The strictest scrutiny has been made into the affairs of the department (the Surgeon General's) and no circumstance has been developed that can be construed into an attempt to forward his (Ashbel Smith's) private interests."

The account of Ashbel Smith in the *Handbook of Texas*, which states that he retired from the office of Surgeon General in 1838, is inconsistent with the statements quoted above from the Senate Journal to the effect that in January, 1839, he still held that office.

LOCATIONS: NNU-W (Henry Barnard, Mss., No. 288). TxU. TWS.

336. TEXAS (*provisional government*). ARMY. COMMANDER-IN-CHIEF (*Samuel Houston*).

Report of Major General Sam. Houston, to His Excellency Henry Smith, Governor. January 30th 1836.

Houston. 1839. [On verso of title:] Telegraph Power Press. 250

13 p. 20.4 cm.

The text of this well-known letter of Houston to Governor Smith, in which Dr. James Grant and Colonel James W. Fannin, Jr., are severely criticized, is given in the *Writings of Sam Houston*, Vol. I, p. 344-355, with references there to its publication in Yoakum and other standard accounts. Johnson and Baker's *Texas and Texans* gives the letter in Vol. I, p. 374-382, and follows it with remarks by Johnson, "both in explanation and vindication of the character of Dr. James Grant and Col. James W. Fannin, Jr."

I do not know why this letter happened to be published in 1839 in this edition of 250 copies.

Sabin 94951.

LOCATIONS: TxWFM.

337. TEXAS (*provisional government*). GENERAL COUNCIL.

Journal of the Proceedings of the General Council of the Republic of Texas, held at San Felipe de Austin, November 14th 1835.

National Intelligencer Office — Houston. 1839.

363 p. 20.4 cm.

The first meeting recorded here is that of November 14, 1835, and the last that of March 11, 1836, but, with the exception of two or three short meetings, the entries from and including January 19, 1836, merely record an adjournment because of no quorum.

Whiting charged for printing 500 copies, less 6 copies short (Ms. bill, Archives, Texas State Library). As stated more fully in the note to No. 245 here, *Journals of the Consultation*, Houston, 1838, my copy of this formerly belonged to Sam Houston.

Rader 3054. Raines, p. 229. Sabin 94958.

LOCATIONS: CSmH. CtY. DLC. MBA. MiD. MiU-L. NHi. NN. NNB. RPB. Tx. Tx-SC. TxU. TxWB. TxWFM. TWS.

338. TEXAS (*provisional government*). LAWS.

Index to Ordinances of General Council. [and "Alphabetical Index of the Laws of Texas: Vols. I, II, III, & IV."]

[Houston: Printed at the National Intelligencer Office? 1839?]

xiv p. (printed in double columns). 20.6 cm.

CONTENTS: Index to Ordinances, p. [1]-iii, verso blank; Alphabetical Index, p. [v]-xiv.

Caption title.

The "Alphabetical Index" here is to both sessions of the First Congress, to the called and regular sessions of the Second Congress, to the National Banner edition, No. 276 here, of the *Laws* of the Second Session of the Second Congress (this is the "Vol. III" of the index), and to the Intelligencer Office edition, No. 355 here, of the laws of the first, and only, session of the Third Congress. For a continuation see No. 475 here. The indexes in the volumes of the laws of the first five congresses are not alphabetical but are rather tables of contents. Beginning with the Sixth Congress, the indexes in the volumes of the laws of each congress are alphabetical.

Sabin 94999, *note*.

LOCATIONS: MH-L. Tx. TxU. Also 7 others.

Usually bound with copies of the second issue of the *Laws . . . First Session of Third Congress, Houston, 1839*, No. 355A here.

339. TEXAS (*republic*). ADJUTANT-GENERAL'S OFFICE.

Report of the Adjutant-General, November, 1839. Printed by order of Congress.

[At end:] Whiting's Print. [Austin. 1839.]

3, [1] p. 18.3 cm.

Caption title.

This short report, dated, "Adjutant General's Office, Austin, November 9, 1839," and addressed, "Hon. A. Sidney Johnston, Secretary of War," is signed at the end, "H. McLeod, Adjutant-Gen." The text of the report, together with certain documents not published here, is given in the *Annual Report of the Secretary of War. November, 1839*, No. 371 here, p. 11-18, and in the modern *Journals of the Fourth Congress*, Vol. III, p. 81-87.

This first item in this bibliography where Samuel Whiting is named in the imprint is followed by many entries under the years 1839 through 1842 with imprints in some form of his name, or that of his Gazette Office at Austin.

In November, 1839, Whiting charged the House for 500 copies and the Senate for 250 copies (Ms. bills, Archives, Texas State Library).

Sabin 94960.

LOCATIONS: TxWFM.

340. TEXAS (*republic*). ARMY.

[General Instructions for Recruiting Officers.]

[Houston: Printed at the National Intelligencer Office. 1839?]

[15 p.]

No copy located, but in January, 1839, Samuel Whiting submitted a bill for printing 202 copies (Ms. bill, Archives, Texas State Library). For earlier Instructions see No. 85 here.

341. TEXAS (*republic*). CONGRESS (*Third*). HOUSE.

Journal of the House of Representatives of the Republic of Texas. Regular Session of Third Congress, Nov. 5, 1838. By order of the Secretary of State.

Houston: Intelligencer Office — S. Whiting, Printer. 1839.
410 p., blank leaf. 25.3 cm.

The House met for this regular session on November 5, 1838, and adjourned *sine die* on January 24, 1839. Document E of the *Report of the Secretary of State, November, 1839* in Volume III of the modern *Journals of the Fourth Congress*, at page 31, says that 495 copies of this Journal had been printed, of which about 250 copies were still in hand.

Sabin 94965, *note*.

LOCATIONS: DLC. MH-L (lacks p. 185-188). NN. Tx. TxU. TxWFM. WHi. TWS.

342. TEXAS (*republic*). CONGRESS (*Third*). HOUSE. COMMITTEE ON INDIAN AFFAIRS.

[Report of the Committee on Indian Affairs.]

[Houston. 1839.]

The House Journal for January 9, 1839, p. 311-312, prints the report which was presented by Holland Coffee, and on January 10 records an order to print 250 copies. This report advocates a firm policy towards the Indians and charges that many of the agents to the Indian tribes were "utterly destitute of a knowledge of the Indian." A bill is reported entitled, "An act authorizing and requiring the President to vacate all Indian agencies or commissioners."

No copy located.

343. TEXAS (*republic*). CONGRESS (*Third*). SENATE.

Journal of the Senate, of the Republic of Texas; First Session of the Third Congress — 1838. By order of the Secretary of State.

Houston: National Intelligencer Office. 1839. [On verso of title:] S. Whiting, Printer.

132 p. 21.6 cm.

[285]

The Senate assembled for this session on November 5, 1838, and adjourned *sine die* on January 24, 1839. The original edition of the *Report of the Secretary of State, November, 1839*. (No. 351 here), has in Document E, p. 33, a statement that 500 copies of the Journal were printed. Oddly enough, the reprinting of this report in Vol. III of the modern *Journals of the Fourth Congress*, p. [5]-34, with Document E on p. 31, has dropped out the sentence about this printing, although it does record that about 150 volumes were still on hand.

Sabin 94970, *note*.

LOCATIONS: DLC. NN. TxU. TxWFM. TWS.

344. TEXAS (*republic*). CONGRESS (*Third*). SENATE.

Reprimand delivered by the President of the Senate, to Hon. Robert Wilson. By order of the Senate, January 13, 1839.

Houston. 1839. [On verso of title:] Telegraph Power Press. 1000.

8 p. 21 cm.

Wilson, Senator from Harrisburg, had made in the Senate most profane and objectionable statements, as reported in the Senate Journal of the Third Congress for the session of December 26, 1838, and had been expelled from the Senate as a result. In the special election held in his district a fortnight or so later he was reelected, by more than a seven to one vote, for the remaining few days of the term. The Senate Journal for January 11, 1839, the day of this election, records that the session of the Senate was interrupted by a disorderly crowd, headed by a bugler, who had rushed into the capitol, carrying Wilson on their shoulders. This reprimand delivered by the Vice President of the Republic shows Burnet at his best. It ends, "Go hence, be more wise: and do better."

The good account of Wilson in the *Handbook of Texas* says that he was never able to obtain another public office. The account of him in the *Biographical Directory of the Texan Conventions and Congresses*, [Austin, 1941], seems to have inaccuracies.

For earlier references to Wilson here see No. 260, Report of Senate Committee on Finance, and No. 308, for a circular by him in the summer of 1838, where he is characterized as "the Opposition Candidate to Gen. Lamar."

Sabin 94971.

LOCATIONS: MH. TxWFM.

345. TEXAS (*republic*). CONGRESS (*Third*). SENATE. SPECIAL COMMITTEE . . . ON THAT PORTION OF THE PRESIDENT'S MESSAGE RELATING TO THE TARIFF.

Report of the Special Committee to whom was refered [*sic*] that portion of the President's Message relating to the Tariff. By order of the Senate.

Houston. 1839. [On verso of title:] Telegraph Power Press. 1000

14 p., blank leaf. 21.2 cm.

This well thought out report, signed at the end, Wm. H. Wharton, Chairman, was presented to the Senate January 8, 1839, and 1,000 copies ordered printed. Wharton, for his committee, agrees with the President that an agricultural nation such as Texas should not have a tariff, but says that until a proper tax can be worked out the revenue from the tariff is essential to the government.

The text of this report is not in the Senate Journal and I know of no other printing of it.

LOCATIONS: DLC. RPB. TxU. TxWFM. DeGolyer. TWS.

346. TEXAS (*republic*). CONGRESS (*Fourth*). JOINT COMMITTEE ON FINANCE.

[Report of the Joint Committee on Finance.]

[Austin: Printed at the Austin City Gazette Office. 1839.]

No copy located, but the report, as presented in the House by Samuel M. Williams on December 13, 1839, is printed from manuscript in the modern *Journals of the Fourth Congress*, Vol. II, House, p. 170-173, and 100 copies were ordered printed. The report is signed at the end first by "S. H. Everitt Chairman Comt. finance on the part of the Senate," and then by Williams, "Chairman Representatives." It refers to a conference with General James Hamilton, one of the Loan Commissioners, who had negotiated in Europe for a loan to Texas, and says that a loan "is not only desirable but indispensable." The Committee says that a proposed act setting up a sinking fund for a loan is being presented with their report.

347. TEXAS (*republic*). CONGRESS (*Fourth*). HOUSE. COMMITTEE ON PUBLIC LANDS.

Report of the Committee on Public Lands.

[At end:] Austin City Gazette Print. [1839.]

7, [1] p. 19.5 cm.

Caption title.

This report, made on November 22, 1839, addressed, To the Hon. D. S. Kaufman, Speaker of the House of Representatives, and signed at the end, W. W. Gant, Chairman, is also given in the modern *Journals of the Fourth Congress*, Vol. II, p. 51-56. It paints quite a picture of the confused state of land titles and of the obligation on Congress to devise ways of making known what lands are vacant and which have been deeded. It recites "stupendous frauds glaring your Committee in the face" and recommends that the further entering and surveying of land claims and the granting of headright certificates be suspended for the present.

The report was unanimously adopted by the House and 1,000 copies ordered printed.

LOCATIONS: TxU. TxWFM.

348. TEXAS (*republic*). CONGRESS (*Fourth*). HOUSE. COMMITTEE ON THE STATE OF THE REPUBLIC.

Report of the Committee on the State of the Republic.

[At end:] Austin Gazette print. [1839.]

4 p. 18.5 cm.

Caption title.

This committee had been asked to report on the expediency of setting up a penitentiary. In its undated report, signed at the end by Wm. H. Jack as chairman, the severity of the Texas penal code and the difficulty of securing convictions "when the punishment is greatly disproportioned to the crime" was commented upon. The committee recommended "the erection of a penitentiary, and the enacting of a penal code, graduating the punishment proportioned to the offense."

Although this report is printed in the modern *Journals of the Fourth Congress*, Vol. II, House, p. 299-301, with the note that it was submitted at some time between January 14 and January 18, 1840, it was

submitted in answer to a resolution of November 15, 1839, and printed before the end of that month. There is a charge for printing 300 copies in Whiting's bill for printing done for the House in November, 1839 (Ms., Archives, Texas State Library). According to the endorsement on the Grand Lodge copy, the bill was rejected on January 27, 1840, and on reconsideration was rejected again January 28.

LOCATIONS: TxU. TxWFM.

349. TEXAS (*republic*). CONGRESS (*Fourth*). SENATE.

Rules for Conducting Business in the Senate.

[Austin: Printed at the Austin City Gazette Office. 1839.]

8 p. 14.5 cm.

Caption title.

This year the Senate apparently thought burdensome, or at any rate inappropriate, the provisions in the *Rules . . . Senate . . . Third Congress*, No. 264 here, that for every failure to attend the Senate by the hour of adjournment, a senator should be fined one dollar, and it no longer appears. On the other hand, three new rules, 51-53, and a new joint rule giving procedure in elections by joint ballot have been added.

Two hundred and fifty copies of these *Rules* were ordered printed by the Senate November 28, 1839 (modern *Journals of the Fourth Congress*, Vol. I, Senate, p. 77), but only 200 were charged for by Samuel Whiting in his bill of November, 1839 (Ms., Archives, Texas State Library).

Sabin 94973.

LOCATIONS: Privately owned.

350. TEXAS (*republic*). CONGRESS (*Fourth*). SENATE. COMMITTEE ON FINANCE.

Report of the Committee on Finance.

[At end:] Whiting's Press, Austin. [1839?]

4 p. 18.5 cm.

Caption title.

This report by the Committee, to whom that part of President Lamar's annual message relating to the finances of the Republic had

been referred, recommends suspending the issue of promissory notes, which have so depreciated as to "have become almost worthless as a medium of carrying on domestic or foreign exchange." An increase in the tariff on imports is among other recommendations.

The report, which is signed at the end, S. H. Everitt, Chairman, is undated but the modern *Journals of the Fourth Congress*, where it is reprinted, Vol. I, p. 164-167, record that it was presented on December 21, 1839, and that 250 copies were ordered printed.

LOCATIONS: TxWFM.

351. TEXAS (*republic*). DEPARTMENT OF STATE.

Report of the Secretary of State, November, 1839. Printed by order of Congress.

[On verso of title:] Whiting's Print. [Austin. 1839.]

38 p., blank leaf. 20.9 cm.

The main report, p. [3]-5, dated at the beginning Austin, November, 1839, and signed at the end on p. 5, David G. Burnet, Acting Secretary of State, is followed by six important documents designated by the letters A-F. Documents A and B, p. 5-29, relate to the outrages of the Indians on the frontier and to the entrance of General Rusk into United States territory in the Indian campaign. Document E, p. 33-35, is the report relating to public printing, dated November 6, 1839, which I have often cited in this bibliography.

In January, 1840, Whiting charged the Senate for 500 copies and the House for 250 (Ms. bills, Archives, Texas State Library). This report was reprinted in the modern *Journals of the Fourth Congress*, Vol. III, p. [5]-34.

Sabin 95037.

LOCATIONS: RPB. TxU. TxWFM. TWS.

352. TEXAS (*republic*). LAWS.

An Act, amending the act entitled an "Act adopting a National Seal and Standard for the Republic of Texas." Approved tenth of December, eighteen hundred and thirty-six.

[Houston: Printed at the Telegraph Office. 1839.]

Broadside. 20 x 12 cm.

The five sections of this amending act are given in the Telegraph edition of the Laws of the Third Congress (either issue), on p. 78-79, and it is stated there that it was approved January 25, 1839. Section 3 describes the new flag, where it is characterized as "the national flag of Texas," but, oddly enough, Section 5 reads, "the national standard of this Republic shall remain as was established by an act of which this is an amendment," that is, the act of December 10, 1836.

The broadside, but not the act in the *Laws*, also prints at the end, after Section 5, the description of the "National Standard of Texas" given in the second section of the act of December 10, 1836. The two flags are reproduced in the plate following p. 692 of Vol. I of the *Comprehensive History of Texas*, Dallas, 1898, to illustrate Mrs. Looscan's chapter on "The History and Evolution of the Texas Flag."

Mr. L. W. Kemp has a note entitled "The Texas State Flag" in the *Southwestern Historical Quarterly* for April, 1944, Vol. XLVII, p. 395, in which the description of the flag of the Republic in the act is quoted, not quite accurately, and the act of April 19, 1933, relating to the State flag, is given.

Entered from a copy at TxU now missing; photostat in TWS.

353. TEXAS (*republic*). LAWS.

Alphabetical Index to the Laws of Texas, arranged by a Member of the Bar. [Eight lines of explanatory matter.]

[Houston: Printed at the Telegraph Office. 1839?]

xii p. 21.2 cm.

This index is to the Telegraph editions of the Laws of the first three congresses.

Sabin 95001.

LOCATIONS: CU-B. CtY. DLC. MH-L. NN. Tx. TxU. TWS.
Also 21 others.

354. TEXAS (*republic*). LAWS.

Laws of the Republic of Texas, passed at the First Session of the Third Congress. In one volume.

Houston: Telegraph Power Press. 1839.

Leaf of title, with errata on verso; 144 p.; index, v p. 21.1 cm.

LOCATIONS: CU-B. CtY. DLC. NN. Tx. TxU. TWS. Also 2 others.

354A. — Second issue, with same title, imprint, and date, but having on p. 145 (on different paper) an additional act approved Jan. 26, 1839, and a certificate (dated April 30, 1839, and signed by James Webb, Secretary of State) of the accuracy of these laws "as published by Cruger & Moore," i.e. the Telegraph edition.

Leaf of title, with errata on verso; 145 p., verso blank; index v p., with addenda to index on printed slip pasted on blank p. [vi]. 21.3 cm. Plain wrappers.

Notwithstanding the reference to the "First Session" in the title, there was only one session of the Third Congress.

These two issues of the Telegraph edition, through p. 144, seem to be from the same sheets, and the index in both volumes is the same except for a slip with three additional entries pasted on the verso of p. v of the index to the second issue. In the printing of the first issue two acts approved January 26 had been omitted, and in the second issue one of these, "An Act to provide for the punishment of Horse Thieves," was printed on the new p. 145. The other act, relating to a change of time of holding courts in Robertson County, was not added in the second issue, but the slip pasted to the index of that issue referred to its omission and gave the page number, 166, which was the page on which it appeared in the second issue of the *Intelligencer* edition. The third additional entry in the index was for an act omitted from the index of the first issue.

Though as noted in the "Sketch of Printing" here, Samuel Whiting had on January 19, 1839, at a joint session of the House and Senate of the Third Congress, been elected public printer over Cruger & Moore "for the special purpose of printing the Laws and the Journals [of the Third Congress]," the Telegraph Power Press never-the-less printed this edition, obviously after the close of the session on January 24, 1839. I do not know of any bill of the Telegraph Power Press charging for this printing. The next entry is for the printing by the *Intelligencer* Office, where I suggest in the note that there were 1000 copies of this Telegraph edition.

Sabin 95000.

LOCATIONS: CU-Law. CtY. MH-L. NN. Tx. TxU. DeGolyer. TWS. Also 19 others.

A number of copies lack addenda to index.

355. TEXAS (*republic*). LAWS.

Laws of the Republic of Texas, passed the First Session of Third Congress, 1839.

Intelligencer Office — Houston. 1839.

160 p., index, v p., verso blank, blank leaf. 20.6 cm.

Sabin 94999.

LOCATIONS: CSmH. PHi (lacks index). TWS.

355A. — Second issue, with same title, imprint, and date, but with four additional laws on a new sheet marked "O," p. 161-167, verso blank, inserted between p. 160 (verso of N₂) and the first page of the index (recto of N₃).

167 p., verso blank; index, v p., verso blank; blank leaf; slip indexing additional laws pasted at foot of p. v. 21 cm.

These two issues of the Intelligencer edition are from the same sheets through p. 160, and the indexes to both issues are the same, except for a slip pasted at the end of the index of the second issue. In the first issue of the Intelligencer edition, as was the case with the first issue of the Telegraph edition, an act regarding the time of holding courts in Robertson County and an act "to provide for the punishment of Horse Thieves" had been omitted. These two acts and two others omitted by error from the first issue were given on the new pages 161-167. These new pages were signature O, the index being part of signature N.

The second issue of the Intelligencer edition as listed in Sabin 94999 is described as having a fourteen-page index to the Laws of Texas following the five-page index to the Laws of the Third Congress, but as the note there points out this is found in but a few copies, where it had been inserted. The fourteen-page index is entered here as No. 338.

The laws as published in the second issue of the Intelligencer edition are given in a page-for-page reprint, except for the omission of "Intelligencer Office" from the imprint, in Gammel, Vol. II, p. [1]-173. The index at the end is an accurate reprint, including the slip in the original indexing additional laws, but it is not a page-for-page reprint.

As stated in the note to the preceding entry for the printing of these laws by the Telegraph Power Press, Samuel Whiting had been elected

public printer for the Third Congress on January 19, 1839, and there is a bill of Whiting's in the Archives at the Texas State Library dated April 4, 1839, charging for the printing of 1000 copies of these laws. As document E on printing in the *Report of the Secretary of State*, November, 1839 (*see* No. 351 here), says that since the November 5, 1838, report on public printing 2000 copies of the Laws of the Republic, First Session, Third Congress, had been printed and that about 1300 copies remained, we can guess that the Telegraph Power Press had also printed 1000 copies.

Raines, p. 230. Sabin 94999.

LOCATIONS: DLC. MH-L. Tx. TxU. TWS. Also 16 others.

356. TEXAS (*republic*). LAWS.

Rules and Articles for the Government of the Armies of the Republic of Texas.

Houston. 1839. [On verso of title:] Telegraph Power Press.
500

20 p. 23.5 cm.

This is a reprinting of the Rules and Articles as passed by the First Congress of the Republic and approved November 21, 1836. The Senate Journal for January 15, 1839, records a resolution that 1,000 copies "of the law regulating the army be printed, and distributed among the officers of the army."

Sabin 95059 calls for a cover title and 20 pages, but neither copy located has a cover title, the title given above being the main title on p. [1].

Sabin 95059.

LOCATIONS: CU-B. DLC.

357. TEXAS (*republic*). NAVY DEPARTMENT.

Annual Report of the Secretary of the Navy. November, 1839. Printed by order of Congress.

[On verso of title:] Whiting's Print. [Austin. 1839.]

56 p. 20.5 cm.

This interesting report to President Lamar, dated at the beginning, Navy Department, Nov. 8, 1839, and signed at the end, Louis P.

Cooke, Secretary of the Navy, includes an account of the building up of the Texas Navy by contracts made by Samuel M. Williams. Towards the end Cooke says, "I feel proud to state to your Excellency, that the Government has at its command a navy, which . . . will be able to enforce a blockade along the Mexican coast from Matamoros to its Southern extremity."

Whiting charged the House for 250 copies (Ms. bill, Archives, Texas State Library). The report was reprinted in the modern *Journals of the Fourth Congress*, Vol. III, p. [117]-160.

Sabin 95004.

LOCATIONS: DLC. PHi. RPB. TxU. TxWFM. DeGolyer. TWS.

358. TEXAS (*republic*). NAVY DEPARTMENT.

[Signal Book.]

[Houston: Printed at the Telegraph Office. 1839.]

[170 p.]

No copy located, but Cruger & Moore submitted a bill under date of August 20, 1839, for printing 100 copies (Ms. bill, Archives, Texas State Library). It is probable that this, like the *Rules, Regulations, and Instructions for the Naval Service of the Republic of Texas* published in 1837 (No. 211 here), followed a United States original closely.

359. TEXAS (*republic*). POST OFFICE DEPARTMENT.

Report of the Post-master General of the condition of his Department, October, 1839. [Dated:] Post Office Department, Austin, Oct. 25, 1839. [Signed at end:] E. S. C. Robertson, Acting Postmaster-Gen.

[Austin: Printed at the Austin City Gazette Office. 1839.]

Broadside. 31.6 x 20.1 cm.

This very brief report lists appropriations from December 20, 1836, through January 26, 1839, totaling \$71,000 and postage revenues in 1837 of \$2,057.57; in 1838 of \$9,579.36, and in the first half of 1839 of \$6,342.86. Under credits are two items of payments to mail contractors of upwards of \$71,000. There is no covering text.

That Elijah Sterling Clack Robertson, at this time a young man of nineteen, held the office of Acting Postmaster General was undoubted-

ly due to the fact that he was the son of Sterling Clack Robertson, the founder of the Robertson Colony. It appears from an article by W. L. Newsom, "The Postal System of the Republic of Texas," in the *Southwestern Historical Quarterly* for October, 1916, Vol. XX, p. [103]-131 that his service as Acting Postmaster General was from October to December, 1839.

LOCATIONS: Tx. TWS.

360. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Letter of His Excellency the President, to Col. Bowles and Others. Printed by order of the Senate.

[On verso of title:] Whiting's Press, Austin [1839.]

7 p. 20.8 cm.

In this important document, undated either at the beginning or end in the printed copy, but dated "May 26, 1839" in the copy in the *Lamar Papers*, Lamar goes much further than in his message of December 21, 1838 (No. 296 here), in reversing the policy of Houston towards the Cherokees. Then he had claimed that the treaty of February 23, 1836, with the Cherokees was not legally binding on Texas. Here he again says the treaty "was a nullity," but he goes on to say that Texas is looking forward to the time when some peaceable arrangement can be made for the removal of the Cherokees from Texas, but that in any event their final removal beyond the Red River "is certain."

Negotiations with Bowles followed the letter, but broke down sometime before July 15, 1839. In an engagement with the Indians on July 16, Bowles was killed and soon after the scattered and dispersed Cherokees left Texas. The *Annual Report of the Secretary of War. November, 1839*, [Austin, 1839], No. 371 here, tells the military part of the story. Houston's *Message . . . concerning Indian Relations transmitted to the Senate, May 22d, 1838*, Houston, 1838, No. 288 here, gives the story of events leading up to the treaty of February 23, 1836, and the text of that treaty.

Miss Anna Muckleroy, in Chapter V of her "The Indian Policy of the Republic of Texas" in the *Southwestern Historical Quarterly* for October, 1922, Vol. XXVI, refers on p. 135-136 to the manuscript copy of this letter in the Texas Archives, and was apparently unfamiliar with this little pamphlet.

Whiting charged for 250 copies (Ms. bill, Archives, Texas State Library). The letter is reprinted in the *Lamar Papers*, No. 1297, Vol. II, p. 590-594.

Sabin 95021.

LOCATIONS: RPB. TxGR. TxH. DeGolyer. TWS.

361. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Message from the President of the Republic of Texas to the Two Houses of Congress, at their Annual Session, commencing on the 2d Monday of November, 1839.

Austin City Gazette — S. Whiting, Printer. 1839.

32 p. 20.5 cm.

This lengthy *Message* is dated at the beginning, Executive Department, City of Austin, Nov. 12, 1839. To me its most interesting feature is a section towards the end, p. 30-31, in favor of an expedition to Santa Fe. I have not run across any earlier statement by Lamar in the *Lamar Papers* on such an expedition, but in a letter to Lamar from W. Jefferson Jones in those *Papers*, dated February 8, 1839 (No. 1049, Vol. II, p. 437-440), Jones advances excellent reasons for such an expedition and in a letter of April 19 of the same year (*Lamar Papers*, No. 1199), Jones writes, "I must return to Houston before I start on the Santa Fe expedition. That expedition is universally approved and it will be the most glorious event in the history of your political life."

Considerable space is taken up in the *Message*, p. 23-28, with recommending the organization of "a new Department of Government, to be called the *Home Department*" to perform some of the functions of the State Department, and there is a defense of his policy towards the Indians, in which he states, "In my opinion, the proper policy to be pursued towards the barbarian race, is absolute expulsion from the country." This is certainly the complete opposite of the Houston policy.

The difficulty of administering the land laws is given as an excuse for not issuing land patents; and the unsuccessful mission to Mexico to discuss peace is among the other matters commented on.

The modern *Journals of the Fourth Congress* record (Vol. II, p. 7) that 1,000 copies of the *Message* and 500 copies of the accompanying re-

ports of departments were ordered printed by the House on November 12, 1839, and half that number of each by the Senate the next day. Though Lamar mentions an accompanying report of the Attorney General, I have no record of a printed copy. The *Message* is reprinted in Vol. III of the *Lamar Papers*, No. 1529, p. 159-183, and in the modern *Journals of the Fourth Congress*, Vol. I, p. 6-31.

Sabin 95020.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 1). TxU. TxWFM. TWS.

362. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

[Proclamation, by the President of the Republic of Texas, opening a trade with the Mexican citizens on the Rio Grande, dated at Houston, February 21, 1839, and signed by President Lamar, and James Webb, Secretary of State.]

[Houston: Printed at the National Intelligencer Office. 1839.]

No copy located.

363. — Another edition, in Spanish.

[Houston: Printed at the National Intelligencer Office. 1839.]

No copy located.

Samuel Whiting submitted charges under date of February 22 for printing 150 copies in English and 150 copies in Spanish (Ms. bill, Archives, Texas State Library). The text, in English, is printed in the *Lamar Papers*, Vol. II, p. 457-458.

364. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Proclamation, by the President of the Republic of Texas. [Orders the civil and military authorities to refrain from exercising any jurisdiction within territory over which the United States has previously exercised jurisdiction, until the boundary is agreed upon. Text begins:] Whereas, by the Convention entered into between the Government of the United States and the Republic of Texas . . . [April 25, 1838] it was

agreed . . . [Dated at end, Houston, June 3, 1839, and signed:]
By the President, Mirabeau B. Lamar. David G. Burnet, Acting Secretary of State.

[At end:] Intelligencer Office, Houston. [1839.]

4-page folder printed on page [1]. 28.5 x 22.5 cm.

LOCATIONS: TX.

365. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

[Proclamation, by the President of the Republic of Texas, ordering elections for Senators and Representatives to be held on September 2, 1839, dated at Houston July 5, 1839, and signed by President Lamar and James Webb, Secretary of State.]

[Houston: Printed at the National Intelligencer Office. 1839.]

No copy located, but under date of July 12 Samuel Whiting submitted a bill for printing 50 copies "for Chief Justices of different counties." The manuscript of the proclamation is in the Texas State Library in the *Proclamations of the Presidents, Republic of Texas; Documents under the Great Seal, Record Book No. 37*, p. 45.

366. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

[Proclamation, by the President of the Republic of Texas, and Letter, from the President "To the Citizens of Liberty County," both dated July 9, 1839 and both on Indian affairs.]

[Houston: Printed at the National Intelligencer Office. 1839.]

No copy located, but Samuel Whiting submitted a bill under date of July 11 for printing "200 Proclamations and Prests. letter on Indian affairs." These may have been printed as two separate broadsides, since the proclamation is general, while the letter is addressed "To the Citizens of Liberty County, residing near the Cushatta Towns and Villages." The manuscript of the proclamation is in the Texas State Library in the *Proclamations of the Presidents, Republic of Texas; Documents under the Great Seal, Record Book No. 37*, p. 44-45. The letter is printed in the *Lamar Papers*, No. 1362, Vol. III, p. 39-40.

367. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

A Proclamation by the President of the Republic of Texas. [It appearing that the seat of Daniel Parker, representative from Shelby County, had been declared vacant by the House and that Emory Raines, a senator from Shelby, Sabine and Harrison counties, had resigned, this proclamation orders a new election to fill these vacancies. Text begins:] Whereas, by a resolution of the House of Representatives . . . the election of Daniel Parker . . . has been declared illegal . . . [Dated at end at Austin, November 18, 1839.]

[In upper right corner:] Whiting's Print, Austin. [1839.]

Broadside. 25 x 19.5 cm.

LOCATIONS: CU-B.

TEXAS (*republic*). STATE DEPARTMENT. *See* Texas (*republic*). Department of State, No. 351 here.

368. TEXAS (*republic*). TREASURY DEPARTMENT.

Annual Report of the Secretary of the Treasury. November, 1839. Printed by order of Congress.

[On verso of title:] Whiting's Print. [Austin. 1839.]

12 p. 19.2 cm.

This report, dated at the beginning, Austin, Nov. 3, 1839, and signed at the end, Jas. H. Starr, Secretary of the Treasury, shows expenditures for the year ending September 30, 1839, of \$1,965,169.58 of which \$1,902,690.36 was said to be in promissory notes of the government. The receipts, partly estimated, for the fiscal year are stated to be \$637,708.78, and the public debt to be \$2,860,041.65. Receipts of the government in the current fiscal year are estimated at \$1,300,000. None of the various exhibits referred to in the text accompany this printed report, but they have been assembled from manuscript and other sources and are included in the reprinting of the annual report in the modern *Journals of the Fourth Congress*, Vol. III, p. [35]-72.

A biography of Starr by John N. Cravens, *James Harper Starr: Fi-*

nancier of the Republic of Texas, was published in Austin in 1950 by The Daughters of the Republic of Texas.

In November, 1839, Whiting charged the House for 500 copies and the Senate for 250 copies (Ms. bills, Archives, Texas State Library).

Sabin 95050.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 1). PHi. TxU. TxWFM.

369. TEXAS (*republic*). TREASURY DEPARTMENT.

Special Report of the Secretary of the Treasury. November, 1839. Printed by order of Congress.

[On verso of title:] Whiting's Print. [Austin. 1839.]

12 p. 19.8 cm.

The text of the Special Report, giving estimates of expenditures for the year 1840, is addressed to David G. Burnet, President of the Senate, and signed on p. 5, J. H. Starr, Sec'y of Treasury. Various departmental estimates of expense are given from p. 5 to the end. The total current expenses are estimated at \$1,497,839, with \$449,818 more "on account of previous liabilities."

This report is reprinted from the Grand Lodge copy in the modern *Journals of the Fourth Congress* in Vol. I, Senate, p. 101-108, in the proceedings for December 7, 1839. On the same day it was ordered that 500 copies be printed. The modern *Journals of the Fourth Congress* in Vol. II, House, print the report in the proceedings for December 3, 1839, p. 126-133, from a manuscript copy in "Financial Papers" and on the same day the Journal records that 300 copies were ordered printed. The copy in Financial Papers is reported to be endorsed "Two Hundred copies ordered to be printed." In the printing, from the manuscript, in the House Journal, the report is addressed to David S. Kaufman, Speaker of the House of Representatives, and there is a different arrangement of the estimates, which come after the main text. No copy of an edition printed for the House has been located. There may have been no difference in the copies printed for the use of the House, or none beyond the form of the address at the beginning.

Sabin 95051.

LOCATIONS: DLC. DNA (State Department Diplomatic Despatches, Texas, Volume 1). RPB. TxU. TxWFM. TWS.

370. TEXAS (*republic*). VICE-PRESIDENT, 1838-1841 (*Burnet*).

Address Pronounced by the Vice-President on Taking His Seat in the Senate.

[At end:] Gazette Office Print. [Austin. 1839.]

3 p. 19.5 cm.

This short address, delivered November 11, 1839, is reprinted in the modern *Journals of the Fourth Congress*, Vol. I, Senate, p. [1]-3. Burnet comments appropriately on this first meeting at the new seat of government at Austin, and pronounces some elevated sentiments on the duties of legislators.

On November 12 the Senate ordered 500 copies printed.

LOCATIONS: TxWFM.

TEXAS (*republic*). VICE-PRESIDENT, 1838-1841 (*Burnet*).

Reprimand . . . to Hon. Robert Wilson. . . . 1839. *See Texas (republic)*. Congress (*Third*). Senate, No. 344 here.

371. TEXAS (*republic*). WAR DEPARTMENT.

Annual Report of the Secretary of War. November, 1839. Printed by order of Congress.

[On verso of title:] Whiting's Press, Austin. [1839.]

52 p. 20.8 cm.

The report, dated at the beginning, City of Austin, Nov. 1839, and signed on p. 10, A. Sidney Johnston, Secretary of War, gives a full account of the relations with the Cherokees and of the engagements beginning July 15, 1839, which resulted finally in the removal of the Cherokees from Texas. There are fifteen appendices (numbered 1-12 and 14-16), some of considerable interest, especially those relating to the Cherokee campaigns and to engagements with the Comanches. These include No. 14, Colonel Burleson's report of the engagement

with the Mexicans and Indians on the St. Gabriel in May, 1839. There is an account of this engagement, with a map, in the *South-western Historical Quarterly* for July, 1951, Vol. LV, p. [30]-42, where Walter Prescott Webb is quoted as calling this "one of the most important Indian fights that ever took place in Texas," and J. W. Wilbarger as saying that it "was second only in importance to Texas to the battle of San Jacinto." Number 9 is a printing of the August 2, 1839, "Treaty with the Shawnee Indians." Johnston later had a distinguished career in the United States Army and at the time of the War between the States resigned his commission in that army and became one of the chief officers of the Confederate Army. He was killed at Shiloh in 1862.

In January, 1840, Whiting charged the Senate for 500 copies and the House for 250 (Ms. bills, Archives, Texas State Library). The original pamphlet report is reprinted in the modern *Journals of the Fourth Congress*, Vol. III, p. [73]-116.

Sabin 95056.

LOCATIONS: RPB. Tx. TxU. TxWFM. DeGolyer. Graff. TWS.

372. TEXAS (*republic*). WAR DEPARTMENT.

Government | of | the Army | of the | Republic of Texas, | printed in accordance with | a Joint Resolution of Congress, | approved January 23d, 1839. | By order of the Secretary of War. |

Houston: | Intelligencer Office—S. Whiting, Printer. | 1839. | Leaf of title, verso blank, index, 3 p., verso blank; inserted leaf of errata; General Regulations, 187 p., 2 plates; Uniform of the Army of the Republic of Texas, Prescribed and Published by Order of the President, 16 p. including half title. 18 cm.

Plates: Order of Encampment for a Regiment of Infantry; Order of encampment for two squadrons of Cavalry.

Sabin 95058, with erroneous note.

LOCATIONS: TxAuDR. TxH. TxU.

372A. — Another issue, with title:

General Regulations | for | the Government | of | the Army |
of the | Republic of Texas. | Printed in Accordance with a
Joint | Resolution of Congress, approved | January 23rd,
1839. | By order of the Secretary of War. |

Houston: | Intelligencer Office—S. Whiting, Printer. | 1839. |

Leaf of title, verso blank, inserted leaf of errata, index, 3 p.,
verso blank; General Regulations, 187 p., 2 plates; Uniform
of the Army . . . , 16 p. including half title. 18.2 cm. Cloth,
with printed label on spine: Army Regulations.

Plates as in issue entered above.

These regulations were printed in compliance with a joint resolution of Congress, approved by President Lamar on January 23, 1839, that 1,000 copies be printed. Except for the section at the end, "Uniform of the Army," they follow closely the *General Regulations for the Army of the United States*, City of Washington, 1835 (copy in my collection). These sixteen pages on the uniform appear to be a revision of the material issued in a twelve-page pamphlet, No. 374 here, and like that pamphlet are preceded by General Order No. 5, dated Houston, May 23, 1839, ordering the adoption of the uniform.

The title page of the first of the two entries here is, as shown by the lining of the titles, entirely different from that of the second entry, and Sabin is in error in stating that they are the same, but with "General Regulations for the" cut away in the first. Otherwise the make-up of the two issues is the same. The order here of the two entries is based on the fact that the words of "General Regulations for the" at the beginning of the second title seem to fill an obvious lack in the first.

My copy, which is in the original muslin cloth binding, has no leaf of errata, and no sign that such a leaf was ever present. If this binding was done in Texas, those copies with the original binding are the earliest examples of Texas binding of which I have a record. However, see my note to Bonnell's *Topographical Description of Texas*, Austin, 1840, No. 380A here, for a further discussion of the beginnings of bookbinding in Texas.

In the report of the Adjutant General of the Army dated November 9, 1839 (this is a part of the Secretary of War's *Annual Report*, November, 1839, No. 371 here), it appears that Whiting's price for print-

ing the 1,000 copies was \$2,000, on which a heavy loss was sustained, and that \$1,450 more was asked as just compensation for the actual cost of printing.

Raines, p. 127. Sabin 95057.

LOCATIONS: DW. NN. TxGR (lacks leaf of errata). TxH (first four leaves defective in one copy; second lacks p. 7-16). TxU. TWS (lacks leaf of errata).

373. TEXAS (*republic*). WAR DEPARTMENT.

Reply of the Secretary of War to a resolution of the Senate, passed Dec. 10, 1839, instructing him to report a plan for the defence of our Northern and South-Western Frontiers.

[At end:] <Whiting's Press, Austin.> [1839.]

4 p. 19.2 cm.

Caption title.

This reply, dated at the beginning, December 18, 1839, and signed at the end, A. Sidney Johnston, Secretary of War, recommends setting up twelve posts along the frontier, to be manned by one to four companies of troops, the total requirement being a frontier regiment of infantry and one of cavalry.

Two hundred and fifty copies of the report were ordered by the Senate to be printed and the text is given in the modern *Journals of the Fourth Congress*, Vol. I, Senate, p. 156-159.

LOCATIONS: TxWFM.

374. TEXAS (*republic*). WAR DEPARTMENT.

Uniform of the Army of the Republic of Texas, Prescribed and Published by Order of the President.

Houston: Intelligencer Office — S. Whiting, Print. 1839.

12 p. 18.7 cm.

These regulations on the uniform of the Texas army seem to be a first draft, which was considerably revised in *General Regulations for the Government of the Army*, No. 372A here. The arrangement in the *General Regulations* is much more logical than here.

LOCATIONS: TxU. TWS.

375. TEXAS SAN SABA COMPANY.

Constitution of the Texas San Saba Company. May 9th, 1839.
Houston. Telegraph Power Press. 1839.

13 p., verso blank, blank leaf. 19.7 cm.

Caption title.

We have here not only the constitution of "The San Saba Company," but, on p. [3]-6, an interesting "Preamble" of the "undersigned original Shareholders," whose names unfortunately are not given, designed to "make known their intentions in forwarding an expedition to explore the unknown regions of Texas." Among these objects was locating land eligible for settlement and introducing emigrants. The "Preamble" also discusses the organization of the expedition, the route to be taken, and the setting up of a new route for the Chihuahua trade through the proposed settlement, by way of El Paso.

R. L. Bieseles has an interesting article on this company, whose activities seem to have ended in 1839, and its revival in 1843 under the name of the San Saba Colonization Company, in *Southwestern Historical Quarterly* for January, 1930, Vol. XXXIII, p. [169]-183. Another of its activities, according to Mr. Bieseles, was to trade with the Indians and recapture horses and other property stolen by them. He was unable to find any copy of this pamphlet in the Fisher papers at the University of Texas (Francis Henry Fisher was the Treasurer), but notes a printing bill of Cruger & Moore of \$90 for printing 250 copies. Also in this bill is a charge for printing 1,000 stock certificates, officers' commissions, and 50 handbills. No copy of these items has been located. Mr. Bieseles quotes newspaper articles and the Fisher papers to show plans made in the spring of 1839 for the expedition. The President, whose name he could not discover, was Francis Moore, Jr.

Sabin 95126.

LOCATIONS: CU-B. MH. TxU (pages 1-8 on pale blue paper). TWS.

376. THOMPSON, HENRY.

Oration delivered the 2d March, 1839 on the Anniversary of the Independence of the Republic of Texas. By Henry Thompson, A. M.

Houston: National Intelligencer Office. 1839.

12 p. 20.5 cm.

This is a short and eloquent address of the type usual at such occasions a century or so ago. One sentence reads, "Among the living patriots, let Shackelford, Pettis and Karns, be recorded, and a grateful people award to them their just meed of their country's Love." It seems a little odd to have these three gentlemen the only living persons referred to in the address. Probably Karnes is so honored as Thompson's *Texas Sketches* is dedicated to him.

Thompson was a lawyer of Houston and author of *Texas. Sketches of Character: Moral & Political Condition of the Republic by Milam*, Philadelphia, 1839, entered here in Part III. He was a supporter of Lamar, for whom, early in his presidential administration, he acted as private secretary. There are several references to Thompson in the *Lamar Papers* and Miss Elizabeth West has a note on him and his *Texas . . . by Milam* in the *Southwestern Historical Quarterly* for July, 1912, Vol. XVI, p. 106-107, but I have nowhere run across any account of him before he appeared in Texas, or any notice of his death. Oddly enough there is no sketch of him in the *Handbook of Texas*. I sometimes wonder if this Henry Thompson was the Judge Thompson of Houston who was killed at the Council House Fight at San Antonio on March 20, 1840 (see note to the *Sentinel* extra of March 23, 1840, No. 398 here).

Raines, p. 204. Sabin 95515.

LOCATIONS: TxWFM.

377. WASHINGTON, *Texas*.

. . . Certificate of Stock in the Town of Washington. This Certificate will be received at par for One Thousand Dollars in the purchase of Lots in the Town of Washington . . . [At end:] Washington, [blanks for date and signature of] Agent. [Along right margin:] Telegraph Press, Houston. [1839?] Broadside. 9.7 x 17.5 cm.

At head: \$1000 No — Letter A No. — of Unsold Lots.

Certificates were also issued for \$500, "Letter B", and \$250, "Letter C", otherwise the same as that for \$1000, with same imprint.

There is almost a full-column account of Washington, Texas, in the *Handbook of Texas* and a half-column biography of John W. Hall, who is said to have been one of those who in 1835 founded the Washington Townsite Company "which promoted the town of Washington-on-the-Brazos [the Washington of this certificate] and rented the

building in which the Declaration of Independence was written." The Texas *ad interim* government was organized at Washington. Later, in 1837, the town was incorporated. Washington was again the capital of Texas from 1842 to 1845. Hall was in the Gutiérrez-Magee expedition of 1812 and became a permanent resident of Texas as early as 1822.

The two certificates in my collection and that for \$1,000 at the San Jacinto Museum all have the written signatures of John W. Hall as Agent. Mine are undated, but the San Jacinto certificate has the date May 17, 1839, faintly written in ink, so I have entered them under 1839. The certificates state in part, "The whole unsold interest from this time, being divided into Four Hundred Shares of One Thousand Dollars each."

LOCATIONS: TxAuTM (all three). TxGR (\$1000). TxHSJM (\$1000). TxSaDR (all three). TWS (\$500 and \$250).

1840

378. AUSTIN LYCEUM.

Constitution and By-Laws of the Austin Lyceum. Instituted February 12, 1840. [One line, Latin quotation.]

Austin: Printed at the Gazette Office. 1840.

22 p. 16 cm.

It appears from the "Act to Establish and Incorporate the Austin Lyceum," approved February 4, 1841, *Laws, Fifth Congress*, p. 149-150, that it was organized "for the encouragement of literary and scientific pursuits." George W. Bonnell was one of the nine incorporators named in the act. On p. 21-22 is a list of the members.

LOCATIONS: TxU.

379. BAPTISTS, *Texas*. UNION BAPTIST ASSOCIATION.

Minutes of the First Session of the Union Baptist Association, begun and held in the Town of Travis, in Western Texas, Oct. 8th, 1840.

Houston: Telegraph Press. 1840.

16 p. 21.5 cm.

At this time in the Baptist Church there were two groups which may roughly be designated as Missionary Baptists and Anti-Missionary

Baptists, the latter being also referred to as "Primitive Baptists" and "Hard Shelled Baptists." This Union Baptist Association was organized by a Missionary Baptist group headed by T. W. Cox, pastor of the three churches represented at the meeting—Travis in Austin County, Independence in Washington County, and La Grange in Fayette County. At the first meeting Cox was elected moderator, R. E. B. Baylor, corresponding secretary, and J. W. Collins, clerk. Neither Cox nor Collins has a sketch in the *Handbook of Texas*, though Cox probably deserves mention as the organizer of the first association of orthodox Baptists in Texas.

There is a sketch of Baylor (born in 1793) in the *Handbook of Texas* and also in the *Dictionary of American Biography*. An Alabama lawyer and ordained a Baptist minister in 1839, he had only recently come to Texas, where he became prominent as a judge and clergyman, traveling, as said in the *Handbook of Texas*, on horseback over the country for more than twenty years, "with the laws of Texas in one saddlebag and the Holy Bible in the other." Baylor University is named for him.

The Association grew in strength with the years and even by the time of its next annual meeting, held near Ruttersville in October, 1841, No. 504 here, had such distinguished leaders as William M. Tryon and James Huckins. The following year Z. N. Morrell, a leading Texan, became prominent in the affairs of the association. There are sketches of all three in the *Handbook*.

Here the Minutes, p. [3]-7, are followed by the Articles of Faith, p. 8-9; Bill of Inalienable Rights, p. 9-10; and Constitution, p. 10-12, all of which had apparently been previously adopted by the churches. The Rules of Decorum, p. 12-13, which were adopted at the meeting, are followed by a table of the three churches represented at the meeting, with the names of their representatives, pastors, and the like, and their times of meeting. At the end, p. 15-16, is the circular letter signed by R. E. B. Baylor.

The second meeting of this association assembled near Ruttersville, "in Western Texas" on October 7, 1841, No. 504 here. The third meeting of this association, a called session, No. 554 here, was held at Mt. Gilead Church in Washington County in November, 1842; the fourth, No. 582 here, at Providence Church in Washington County in October, 1843; the fifth, No. 583 here, held at Plum-Grove Church in Fayette County in August, 1844; and the sixth, No. 616 here, again at Mt. Gilead Church in Washington County in October, 1845.

This Union Baptist Association should be distinguished from the Union Association of the Regular Baptist Faith and Order, of which

Elder Daniel Parker was the leading spirit. This was the organization of the Anti-Missionary or Primitive Baptists. For the proceedings of their organization meeting see No. 436 here, and for an entry for its fourth meeting see No. 553 here.

Though poorly arranged and at times lacking in clarity, the best secondary account of these Baptist associations I have seen is J. M. Carroll's *History of Texas Baptists*, Dallas, 1923.

LOCATIONS: TxFwSB.

380. BONNELL, GEORGE WILLIAM, d. 1842.

Topographical Description of Texas. To Which is Added an Account of the Indian Tribes. By Geo. W. Bonnell.

Austin: Published by Clark, Wing, & Brown. 1840.

[On p. (iv):] Copy-right secured in the Republic of Texas and in the United States . . . in the year 1840. Cruger & Bonnell, public printers, Austin.

viii, [7]-127 p., verso blank; Indian Tribes, 130-150 p. (p. 129 ff. misnumbered 130 ff., even numbers on rectos of leaves). 14.8 cm. Tan cloth with printed paper label on spine: Topography of Texas.

In some copies there is no running head, "Indian Tribes.", or page number at the head of page 130, but all copies have the chapter heading "Indian Tribes." on that page.

LOCATIONS: CtY. DGU (lacks printed paper label.). DLC (rebound). KyDC. MBAt. MHi. MoSM. OFH. OMC (rebound). PU-Mus (bound in dark purple cloth, without label; the binding may be original). Tx (lacks p. 130-150; bound in plain brown boards with "Texas" stamped in gilt on spine). TxGR (rebound). TxU (lacks a binding and p. 144-150). DeGolyer. Graff (no sign that there ever was a label).

- 380A. — A second issue, bound in printed board covers and published about the beginning of 1842, since there is an advertisement on the back cover for "Walker's Third Edition of the Presidents' Messages . . . from Washington's to Tyler's last Message, December, 1841."

The pagination and text are the same in both issues and the titles line off the same, but the preliminary matter, signature [1], has been reset for this issue with slight changes in the title page—a comma after “Added” and after “Bonnell,” an “and” instead of an ampersand in the imprint, and “Austin” in a light faced type of the same font as the rest of the imprint instead of in a bold faced squat type of a different font as in the earlier issue. There are also many changes in the first signature, among them being “Arkansas bay” instead of “Aransas bay” on page iii, and “Navidad . . .” as the last line of page vii instead of the first line of page viii.

In some copies of this issue, as in some copies of the first, there is no-running head or page number at the head of page 130.

The cover title and the main title of this issue are from the same fonts of type and nearly identical. The advertisement on the back cover referred to above begins “Cheap and Substantial Bookbinding, at E. Walker’s Old Stand, No. 112 Fulton Street, New York,” leading to the surmise that this issue was bound by Walker.

This is the first book or pamphlet published in Texas giving an account of the country. A good review of it appeared in the *Austin City Gazette* of April 1, 1840, at about the time of its publication. This reads in part:

Of all the descriptions of this Republic this is the best that we have seen, as far as the topography of the country is concerned. At the end of the volume, a brief account is given of the various tribes of Indians within the boundaries of Texas; it is principally copied from the report made by Mr. Bonnell as commissioner for Indian Affairs under the administration of General Houston, which was, at the time, considered as a very true and able document. . . .

The work may be had of the Publishers at the Sentinel Office.

Bonnell played an important part for a few years in Texas as an officer in the Texas army, a Commissioner of Indian Affairs, a printer and publisher, and an author. There is a sketch of him here in the note to his report as Commissioner of Indian Affairs dated November 3, 1838, No. 248.

Notwithstanding the copyright notice given in the entry, there is no reference in Dallam’s *Digest of the Laws of Texas*, Baltimore, 1845, or in Raines’ *Analytical Index to the Laws of Texas, 1823-1905* to any copyright procedure in the Republic of Texas.

Rader 402. Raines, p. 27. Sabin 6317. None distinguish issues.

LOCATIONS: CU-B. CSmH. MnHi. Tx (bound in blue-green cloth with ornamental stamping, in blind on front and back covers, in gilt on spine; the binding may be original). TxU. Graff. TWS.

BURNET, DAVID G.

See Texas (*republic*). President, 1838-1841 (*David G. Burnet, acting for Mirabeau B. Lamar*), No. 421 here.

381. BURTON, ISAAC WATTS, 1805-1843.

Speech of the Hon. I. W. Burton, on the "Bill Providing for Sectionizing and Selling the Lands formerly Owned and Occupied by the Cherokees."

Houston: Printed at the Telegraph Office. 1840.

16 p. 20.3 cm.

This is a powerful attack, showing deep feeling, on the bill sponsored by Sam Houston, then a member of the House, reserving from location the Indian lands in the Cherokee country. The leader of the opposition in the House, representing those who had settled on lands to which the Cherokees had title, was David S. Kaufman, Speaker of the House. Burton seems to have been the leader of the opposition in the Senate. The bill became a law and may be found in the *Laws of the Fourth Congress*, Houston, 1840, p. 184-189.

Burton's speech was probably made after the majority and minority reports on the bill (No. 404 here), the minority report being by Burton, had been submitted to the Senate on January 21 or 22, 1840. John Henry Brown, then a young man, was present at the January, 1840, debate and tells of it in his *History of Texas*, Vol. II, p. 169, and Adolphus Sterne mentions the previous month's debate in his *Diary* (*Southwestern Historical Quarterly*, Vol. XXXI, p. 80-81). There are several references in the modern *Journals of the Fourth Congress*, Vol. I, Senate, to the bill, and on p. 349 is the text of a protest made by Burton on February 4, 1840. Burton died in January, 1843, so he did not live to see his position vindicated by the repeal of the law on January 27, 1844 (*Laws*, 8th Congress, p. 34-35). There is much more on the controversy in the modern *Journals of the Fourth Congress*, Vol. II, House, where on p. 202-231 and 235-251 there is a full account from contemporary newspapers of the debate which opened on December 22, 1839. Other references to the debate are given in a note on p. 202 of the House Journal, with Kaufman's protest against the bill given on p. 271-273.

LOCATIONS: TxWFM. TWS.

382. CHAMBERSIA. PROPRIETORS.

Certificate for Two Lots in the City of Chambersia. Minimum Value of the Two, \$100. Assignable by Endorsement. . . . City of Chambersia, [Blank for date, and signature.] [Certificate at head of sheet, within rule border, followed by title bond describing the property being sold, dated April 20, 1840, and with printed signature, "T. Jefferson Chambers.", the bond followed by a certificate of registration.]

[Houston: Printed at the Telegraph Office? 1840.]

Broadside. 29.2 x 20.9 cm.

At left and right, respectively, of value in title of certificate: No. ———
[and] Book ———

It appears from the title bond that General Chambers had conveyed an interest in land he owned "on the north-eastern shore of Galveston Bay in front of the mouths of the Trinity river" to a group having a project for selling lots in a town to be established there to be called "City of Chambersia." I have not run across any other mention of this project.

In the only copy located the certificate has the manuscript signature of T. Jefferson Chambers, with the date June 2nd, 1840, filled in.

LOCATIONS: Privately owned copy on loan at TxHSJM.

383. COLORADO AND WARLOOP LAND COMPANY.

Colorado and Warloop Land Company. No. —. 640 Acres. Capital Stock, [Five-pointed star.] 230,000 Acres. \$640. This Certificate entitles the holder thereof to Six Hundred and Forty Acres of Land, which may be selected and Located on any of the unappropriated land belonging to the *Colorado and Warloop Land Company*, or will be received at par, in the purchase of Land at the Company's Land Sale, as Six Hundred and Forty Dollars, and will draw its proportionable dividend of the proceeds of Sale; which will take place at Gonzales, on the 1st of May, 1841. Gonzales, Texas. Jno. T. King, Agent for the Company. [Blank form of certificate of

sale at foot, dated and signed:] 17th February, 1840, J. W. Judkins, C. J. C. C. Ex-officio Notary Public

[n.p. 1840.]

Broadside.

Entered from a facsimile of certificate No. 90 printed in the *Austin City Gazette* for August 25, 1841, to accompany the following letter:

Gonzales, August 16, 1841.

To the Editor of the Austin City Gazette.

Sir:—As a Land Certificate has been presented to me which seems to have been issued for a fraudulent purpose, I send you a copy of it, so that you can adopt the proper means to warn the community of the same. The following is a true copy of the Certificate,—it is a printed document and is now before me.

A. Swift.

The original may have been printed outside Texas.

I have found no other reference to this land company.

No copy located.

384. FISHER, GEORGE, 1795-1873.

Memorials of George Fisher, Late Secretary to the Expedition of Gen. Jose Antonio Mexia, against Tampico, in November, 1835. Presented to the Fourth and Fifth Congresses of the Republic of Texas, Praying for Relief in favor of the members of said expedition.

Houston: Printed at the Telegraph Office. 1840.

87 p. 21.8 cm.

These *Memorials* of Fisher's are a full and contemporaneous account of an episode in Texas history that just missed being one of its important events. If the Tampico Expedition from New Orleans in November, 1835, had gained its objective, the course of Texas history would have been changed and its leader, Mexia, and its secretary, Fisher, would have been Texas heroes. By an unlucky accident it failed and its failure stirred the country because of the capture and execution of twenty-eight of its members. The usually accurate Bancroft in his *North Mexican States and Texas* says (Vol. 2, p. 189):

A vile scheme had been got up by General Mejia to make a descent upon Tampico, and induce the passengers, inveigled on board by fair promises, either by persuasion or compulsion to take part in the enterprise.

Kennedy, though not so biting, is to the same effect (Vol. 2, p. 154-155). In New Orleans there had been a judicial investigation early in 1836, *Proceedings in the Case of the United States versus William Christy*, New Orleans, 1836 (entered in Part III), for the executions in Tampico had caused angry feelings against Christy and it was said that he had violated the neutrality laws of the United States.

In these *Memorials*, Fisher gathers together and prints from the Texas Archives the letters which Christy, Mexia, Fisher, and others had written about the expedition, and quotes from the *Journals of the Consultation*, then recently printed, Houston, 1838 (No. 245 here), to show that the Tampico Expedition was a carefully worked out plan of General Mexia, aided by Christy and the Texas Committee of New Orleans, and welcomed by the Consultation and General Austin, for the Mexican liberals and Federalists to strike a blow at Santa Anna and the Centralists which might easily have shattered Santa Anna's plans for an invasion of Texas. Incidentally, it appears that the prisoners who were executed deserted at Tampico.

In 1903 Dr. Barker, then a young instructor at the University of Texas, published an article on the Tampico expedition (*Quarterly*, Texas State Historical Association, Vol. VI, No. 3, January, 1903) which was based almost entirely on these Fisher *Memorials* and the *Journals of the Consultation*, cited by Fisher, and showed the real significance of the expedition.

On p. 87 the report of the committee dated, "Committee Room, House of Representatives, 10th Jan. 1840," is given. The committee reported that Fisher's petition for recompense to himself and associates "*is not without merit*, but at the same time the expedition so connected with it, is so detached from this Government" that further action at this time is inexpedient.

The George Fisher of these *Memorials* was a Hungarian by birth, whose real name is unknown. A linguist, an adventurer with physical and mental courage, an intriguer, inordinately fond of seeing his name in print, almost a blackmailer (see his letter to Austin, dated Monclova, April 16, 1833, *Austin Papers*, Vol. II, p. 947), Fisher was one of the unusual characters who gravitated to Texas and enlivened its annals. In a letter to Lucas Alaman dated San Felipe, Oct. 18, 1830 (*Austin Papers*, Vol. II, p. 512), Austin speaks of Fisher as "*uno de aquellos aventureros miserables y desvergonzados que ni tienen patria ni principios de honradez.*" Later there was some kind of a reconciliation between the two, but that it was only on the surface is shown by Fisher's letter of April 16, 1833, referred to above.

After a few years of an uneventful life as interpreter and translator to the Senate of the Republic of Texas and as translator and keeper of the Spanish records in the state land office, we find Fisher in 1850 in business in Panama where, according to the reprint of the *Panama Echo* of June 1, 1850, which, as referred to later, he bound in with copies of his *Memorials*, he aided the authorities in quelling a riot. Then came his service with the California Land Commission. Later he was Greek consul there. There is a good sketch of him in the *Handbook of Texas*.

In March, April and May, 1858, Fisher added later material to some copies of the eighty-seven-page *Memorials* of 1840 and presented the volume thus made up to several persons. In my presentation copy this additional material may be described as follows:

- (1) A manuscript summary in Fisher's handwriting on the flyleaf beginning, "Please read specially [*sic*] the following." Seventeen references follow.
- (2) A portrait of Fisher, "Secretary to the California Land Commission," "Eng'd [by R. Soper] for Biographical Sketches of Eminent Americans" (compiled by John Livingston, New York, 1853-1854).
- (3) A separately printed biography in six pages, evidently reprinted from Vol. 3, p. 441-446, of the foregoing publication.

These three items are bound in at the beginning. Bound in at the end after the verso of p. 87 of the *Memorials* are:

- (4) A seven-page pamphlet giving, in a reprint from the *Madisonian* of February 5, 1844, a letter of Fisher on annexation; and, p. [5]-7, a reprint from the *Panama Echo* of June 1, 1850.
- (5) A four-page quarto-size folder with caption heading, *Correspondence*, with the latest date April 27, 1857, giving eleven letters, all regarding Fisher's qualifications to be a Commissioner of Deeds in California.

The biographical sketch in my copy has notations in Fisher's handwriting, with various pencil notations which seem to be in another hand. The presentation inscription is to the Hon. Charles Naylor, dated at the end, Washington D. C. April 1858. In this inscription, Fisher signs himself, "late of Texas & now of California."

Only the presentation copies at the Houston Public Library and the Library of Congress have all the additional material just listed, and the Houston Library copy has no manuscript notes. The other presentation copies for the most part have the presentation inscription dated May, 1858. Apparently as Fisher went on with his presentations he ran out of some of this additional material.

Raines, p. 82. Sabin 24460.

Copies:

Presentation: CSmH. CU-B. CtY. DLC. NN. TxH. TxWB. Graff. TWS.

Other: DNA (State Department Archives, Diplomatic Post Records, Texas, with letter from Fisher dated Houston, Oct. 21, 1843). MiU. NWM. RPB. Tx. TxU. TxWFM.

385. FREEMASONS, *Texas*. AUSTIN LODGE, No. 12, *Austin*.

By-Laws of Austin Lodge, No. XII.

Austin: Sentinel Print. [1840?]

13 p. 15.2 cm.

On p. 9 after the By-Laws is the printed statement, attested by George Fisher, Grand Secretary, that these By-Laws were ratified by the Grand Lodge on February 2, 1840. The Appendix, p. [11]-13, gives extracts from the Constitution and records of the Grand Lodge of the Republic of Texas.

LOCATIONS: Privately owned. Photostat in TWS.

386. FREEMASONS, *Texas*. TRINITY LODGE, No. 14, *Swartwout*.

[By-Laws of Trinity Lodge, No. 14.]

[n.p. 1840.]

No copy located, but in June 1953, Miss Winnie Allen sent me a photostat of a receipt, dated Austin, Nov 11th 1840, "for One hundred Dollars Texas promissory Notes to pay a Contract" for printing 100 copies, which she had found in the Masonic files in the Archives at the University of Texas. The by-laws were ratified and a charter granted to Trinity Lodge by a resolution of the Grand Lodge adopted November 22, 1840 (*Proceedings*, Vol. I, p. 70).

387. GALVESTON. DINNER IN HONOR OF GENERAL HENDERSON.

[Invitation, dated Jan. 13th, 1840, "to a Dinner to be given in Honor of General Henderson, at the Tremont House, this evening at 3 o'clock."]

[Galveston: Printed at the Galvestonian Office. 1840.]

4-page folder printed on page [1]. 21 x 12.8 cm.

James Pinckney Henderson, though at this time not quite thirty-two years old, had already had a distinguished career in Texas as attorney general and secretary of state in Houston's first administration and as diplomatic agent of Texas in England and France. Later he was to be the first governor of the State of Texas and afterwards a United States Senator in succession to Rusk. At the time of this honorary dinner he had just returned to Texas from his diplomatic post in France. Henderson settled in San Augustine, and not as said in the sketch in the *Dictionary of American Biography* at San Antonio.

LOCATIONS: TxU.

388. GALVESTON. UNIVERSITY.

Project of the Galveston University. [Draft of a "Charter of the Galveston University, in the Republic of Texas," in twenty-eight sections, followed by a resolution passed at a meeting of citizens, February — 1840, resolutions passed at meetings of the trustees held Feb. 19 and 27, 1840, and an undated memorial asking Congress for a charter adopted at a meeting of citizens.]

[Galveston: Printed at the Daily Courier Office. 1840.]

Broadside in three columns. 38.5 x 31.5 cm.

The memorial of the citizens asking for a charter is followed in the Texas State Library copy, on the lower margin of the recto and on the otherwise blank verso, by a group of original signatures of prominent citizens.

Allen's "Reminiscences of Texas, 1838-1842," in the *Southwestern Historical Quarterly*, for January, 1914, Vol. XVII, p. 298, has the remark, "In 1840, the Rev. W. L. McCalla set Galveston all astir on the subject of starting a great University in the Island City." A charter along the lines of that proposed in the broadside, but with some changes, was approved by Burnet on January 30, 1841, *Laws of the Fifth Congress*, p. 75-77. An interesting provision in the final charter, but not in the draft, is that the trustees "shall be required to confine themselves solely to the advancement of literature, together with

the arts and sciences, studiously avoiding all undue connections with any religious or political denominations."

In the Amasa Turner Papers in the University of Texas is a small undated broadside, *Rules for the Galveston Institute* (No. 668 here), giving twelve rules for the observance of students. I do not know whether or not this was the same institution. The *Handbook of Texas* says that Galveston University ceased to exist in 1844.

LOCATIONS: Tx. TWS.

GALVESTON ARTILLERY COMPANY.

The Charter and Constitution of the Galveston Artillery Company, Organized Sept. 13th, 1840. *See* under 1842, No. 516 here.

GAZETTE - - Extra. *See* Johnston, W. Henry H., No. 391 here.

389. HARRISBURG, *Texas*. PROPRIETORS.

Deed of Trust of Harrisburg Property, to John Birdsall, J. W. Moore, and David G. Burnet.

Houston: Printed at the Telegraph Office. 1840.

Leaf of title, verso blank, 22 p. 18.5 cm.

A note on this pamphlet sent me many years ago by Mr. Winkler says that it consists of a preliminary address, "To the Public," signed "A. Briscoe, Agent" and dated Harrisburg, July, 1839, followed by the Deed of Trust on p. [5]-22.

Mr. Andrew Forest Muir in his article, "Railroad Enterprise in Texas, 1836-1841," in the *Southwestern Historical Quarterly* for April, 1944, Vol. XLVII, p. 355-370, has an account of the original organization of Harrisburg as provided in the deed of trust entered here, and of the subsequent activities of the owners toward building the Harrisburg & Brazos Rail-Road. Mr. Muir subsequently wrote me that the records of a directors' meeting held June 28, 1839, show that Andrew Briscoe was authorized to have printed 100 copies of the above pamphlet.

See here under the year 1839, No. 320, for entry for stock certificate of this company.

LOCATIONS: TxU.

390. HAYNIE, SAMUEL G., 1806-1877.

Chart of Phrenology, by Doctor S. G. Haynie, of the Republic of Texas.

[At end:] <Whiting's Press, Austin.> [1840?]

4-page folder printed on first [2] pages. 28.2 x 22.3 cm.

W. R. Hogan in *The Texas Republic* [1946], discusses phrenology in Texas on p. 181-182 and gives an interesting account of a phrenological examination at Houston in 1838 of the heads of two recently hanged murderers. Haynie settled in Austin in 1839, where he practiced medicine and became prominent in various fields, being mayor of Austin in 1850 and 1851. I can find nothing about him, however, as a phrenologist. There is a sketch of Haynie in the *Handbook of Texas*.

Whiting's Press was established at Austin late in 1839 and continued until 1842. The date 1840 is a guess. Although the word "Chart" might suggest diagrams, there are none present or called for in the text.

LOCATIONS: TWS.

391. JOHNSTON, W. HENRY H.

... [At head of first column:] Appeal of W. H. H. Johnston, to the Citizens of the Republic of Texas. [Johnston's defense against charges of misconduct as Chief Clerk in the office of the Treasurer, signed and dated at end:] W. Henry H. Johnston. Austin, August 25, 1840. [Followed by:] A Letter, Addressed to the People of Texas, by Asa Brigham, in reply to an Article which appeared in the "Sentinel" of Saturday, the 22d inst. [Brigham's defense of his conduct as Treasurer, signed at end:] A. Brigham. ...

[Austin: Printed at the Austin City Gazette Office. 1840.] 1840.]

Broadsheet, both sides in three columns. 48 x 28.2 cm.

At head: Gazette -- Extra.

The last column on the verso is devoted to other matter.

Brigham, whose copy of the Declaration of Independence with his account of its adoption in manuscript on the verso is one of the great

treasures of my Texas collection, had been appointed Treasurer of Texas by Houston and had been reappointed by Lamar. On account of ill health, he had left much of the affairs of the treasurer's office in the hands of his brother-in-law, the W. H. H. Johnston of the entry. What seem at this time to have been trifling causes for friction in Johnston's administration had led to a violent row between him and members of the Lamar administration and appointment of a committee to investigate the treasurer's office. When Brigham refused Lamar's request that Johnston be removed, Lamar removed Brigham from the office of treasurer. This was on April 12, 1840. Five months later Johnston made the lengthy statement set forth in tiresome detail in this broadsheet, replying to the trivial complaints against his administration. Brigham's statement which follows again rehashes the controversy.

The broadsheet has some importance because of Brigham's prominence in Texas affairs and it is of interest as showing how far the *Texas Sentinel*, an administration newspaper, and Whiting's *Gazette*, apparently by this time an anti-Lamar newspaper, were willing to go in a partisan quarrel. Brigham is probably correct in saying that the attacks in the *Sentinel* were "a tissue of falsehood, as gross as they are malignant." When Houston again became president in 1841 he reappointed Brigham as treasurer.

The *Gazette* extra is undated, but from a reference in the *Texas Sentinel* of August 29, 1840, it appears that it was published on August 26, 1840. That later extras on the same subject were published by the *Gazette* appears from the following in the *Morning Star* of September 22, 1840: "The Late Treasurer. - - There seems to be no end to the 'last words' given in the Austin papers, on the subject of the investigation of the Treasury Department. . . . The editor of the *Gazette* of Wednesday [September 16], for the third or fourth time, fills half his sheet with this subject, cuts it off from the other half and calls it the *Gazette Extra!*" There is a copy of the extra of September 16 in the file of the *Gazette* at the New York Public Library.

LOCATIONS: NN. TxWFM.

392. LOUISVILLE, *Texas*.

. . . Town of Louisville, Republic of Texas. This Certificate Entitles the holder to Two Hundred and Fifty Dols. in the Capital Stock of the Town of Louisville: the original Proprietors being Sam'l S. Davis, Sumner Bacon, and others, by presenting which to the Agent of the Company, it shall draw

a proportionable dividend of the proceeds of Sales, and will be received at par in the purchase of Lots, at Two Hundred and Fifty Dollars. Town of Louisville, June, 1840. [Blank for signature of] Agent.

[Houston: Printed at the Telegraph Office. 1840.]

Broadside. 8 x 16.9 cm.

At head: \$250 No. — \$250 [And] No. Acres — No. Lots Surveyed —

Along right margin: Capital Stock \$250,000.

Louisville does not appear on the 1845 Hunt & Randel map of Texas, but from an article, "Harris County, 1822-1845," by Mrs. Looscan in the *Southwestern Historical Quarterly* for July, 1915, Vol. XIX, at page 56, it appears that "Louisville a few miles below Lynchburg, failing to become a town, was known as Scott's Place." Mrs. Looscan remarks, "Nearly every large landholder on the bayou and bay shore aspired to be the founder of a town." Lynchburg was at the mouth of the San Jacinto River. There are sketches of Davis and Bacon in the *Handbook of Texas*, where Bacon, one of the founders of the Presbyterian Church in Texas, appears as a most interesting character.

The copies located are signed in manuscript by "A. Huston" as Agent.

LOCATIONS: TxSaA. TxSaDR.

393. MCKINSTRY, WILLIAM C.

The Colorado Navigator, containing a Full Description of the Bed and Banks of the Colorado River, from the City of Austin to its mouth. By Wm. C. McKinstry.

Matagorda: Printed at the Office of the Colorado Gazette. 1840.

Leaf of title, verso blank, Preface [2] p., 22, [1] p. 17.2 cm. Printed paper wrappers.

Wrapper title: Colorado Navigator. Thus the wise man said unto us all, Despise not the value of things that are small.

This is a careful, detailed description of the "bed and banks" of the Colorado from Austin to its mouth, a distance said to be 472¼ miles,

THE
COLORADO NAVIGATOR,
CONTAINING
A FULL DESCRIPTION
OF THE
BED AND BANKS
OF THE
COLORADO RIVER,

From the City of Austin to its mouth.

By WM. C. MCKINSTRY.

MATAGORDA:

Printed at the Office of the Colorado Gazette.

1840.

made by McKinstry in August, 1839. The work was facilitated by the fact that it was made at a time when the river was at a record low. McKinstry says he paid especial attention to the depth of the water and the nature of the bottom and he concludes his Preface with the statement:

That the Colorado can be navigated by Steam Boats for more than six months of the year cannot be doubted by persons who have had any experience in shoal water navigation, as it is well known that Steam Boats run on the Ohio, Cumberland and Tennessee rivers, carrying from six to eight hundred barrels, and drawing only 18 to 20 inches water.

Though the difficulties of removing the "rafts" near the mouth are said by McKinstry (p. 21) to "have been much exaggerated," a clipping from the *Dallas News* of May 29, 1928, or nearly ninety years later, laid in my copy, tells of a plan for removing them. Along with the detailed record of the condition of the channel, there is considerable local color in the listing of the location and names of towns and plantations along the river. Several of these towns are now only names. An article, "The Colorado River Raft," in the *Southwestern Historical Quarterly* for April, 1949, Vol. LII, p. [410]-426, quotes extensively from McKinstry's account of the raft, and gives the story of later navigation on the Colorado.

In its issue of May 2, 1840, the *Colorado Gazette and Advertiser* has a notice reading in part, "A little book had just been issued from our office which will be of great value to all persons interested in lands on the Colorado and its Tributaries. It is Capt. McKinstry's 'Colorado Navigator.'" Except for another reference to the book, the only bit of information I have been able to get on McKinstry is from the *Matagorda Bulletin* of September 27, 1838, where it appears that at that time McKinstry was "City Auctioneer."

The copy of the *Navigator* at the Library of Congress is the presentation copy, entered as No. 977 in the Francis Edwards catalogue No. 265 of July, 1903, priced at the large sum of five shillings. There are WPA slips for copies of this at the University of Texas and the Texas State libraries, but the copy at the University is a photostat and that at the State Library has been missing for many years.

The title page of the *Navigator* is reproduced here as Plate VII.

Raines, p. 143.

LOCATIONS: DLC (wrappers bound in; inscribed on verso of front wrapper, "Hon. Wm J. Jones with the Respects of the Author May 15th 1840." and on the recto of the front wrapper, "Wm Bollaert from Judge Jones Columbus."). TWS (wrappers bound in).

394. MORELAND AND GORDON, *firm, Austin*.

[Notice of association.] City of Austin, Texas, January 18, 1840. To ————— [Text begins:] The Subscribers have associated themselves together, for the purpose of doing a General Land Agency at the City of Austin, Texas: . . . [Signed:] Joseph Moreland, Thos. G. Gordon. [Signatures followed by list of references and note that fees will be those usual in the Republic.]

Whiting Press. Austin. [1840.]

4-page folder printed on page [1]. 28.4 x 22.3 cm.

The imprint appears in blind on the copy at the University of Texas. I have found no reference to either of the partners in the usual reference books on Texas. They had a distinguished list of references.

LOCATIONS: TxU.

PILSBURY, TIMOTHY.

To the Electors of the Senatorial District County of Brazoria. [Address, signed and dated at end:] T. Pilsbury. August 24th, 1840 [*i.e.* 1841]. See under 1841, No. 449 here.

395. [PRATT, THOMAS, 1807-1864.]

[Handbill, signed by one Thomas Pratt, attacking President Lamar for paying no attention to Pratt's letters demanding reappointment as captain in the Texas army. Pratt's application for reappointment had been endorsed "unworthy."]

[Richmond? Printed at the Richmond Telescope Office? 1840.]

[Broadside?]

No copy located, but the handbill is mentioned and the case summarized in the *Richmond Telescope*, March 17, 1840.

Five letters written by Pratt to Lamar on this subject are printed in Volume V of the *Lamar Papers*.

396. REILY, JAMES, d. 1863.

Address of Major James Reily, on the occasion of laying the Corner Stone of the Houston and Brazos Rail Road. Published by the Committee of Arrangement.

Houston: Printed at the Telegraph Office. MDCCCXL.

19 p. 20.3 cm.

The laying of this cornerstone on July 25, 1840, seems to mark the beginning and end of the building of the Houston and Brazos railroad, an enterprise not even mentioned in the authoritative and complete *Handbook of Texas*. This *Reily Address*, full of glittering generalities, was apparently one of the leading events of a great celebration which included a military parade and a speech by Sam Houston. Reily was a man of considerable importance in Texas affairs. There is a good sketch of him in the *Handbook of Texas*.

The charter of the railroad, approved by President Lamar January 26, 1839, *Laws . . . First Session Third Congress*, Houston, Telegraph Power Press, p. 117-120, does not list any of the incorporators. It seems to be the third Texas charter for a railroad, the two earlier ones being that of the Texas Railroad, Navigation and Banking Company, granted in December, 1836, see Nos. 180 and 181 here, and that of the Brazos and Galveston Railroad Company, granted in May, 1838, see Nos. 229 and 230 here.

The best account of this enterprise I have seen is given by Mr. Andrew Forest Muir in his article "Railroad Enterprise in Texas, 1836-1841," in the *Southwestern Historical Quarterly* for April, 1944, Vol. XLVII, p. 350-355. There is a short account by Mr. S. G. Reed in his *History of the Texas Railroads*, Houston, 1941, p. 32 and 33.

LOCATIONS: NHi. TxU. TxWFM.

397. RUTERSVILLE COLLEGE.

[First Annual Catalogue of Rutersville College, Rutersville, Fayette County, Texas, 1840.]

[Austin: Sentinel Print. 1840.]

19 p. 15.5 cm.

Entered from a photostat in my collection of a privately owned copy, lacking the title page, formerly on deposit at the University of Texas and now missing. The title and imprint given here are supplied from

a notice in the *Western Christian Advocate* of January 1, 1841, quoted in Orceneth Fisher's *Sketches of Texas in 1840*, Springfield, Ill., 1841, p. 60.

This interesting pamphlet is, as far as I know, the first printed catalogue of a Texas college, or for that matter of any Texas educational institution. It lists eleven trustees, six honorary trustees, a faculty of three, with thirty-five men listed in the "Preparatory department" and twenty-eight girls in the "Female department." These two departments seem to be the equivalent of present-day high school and to be preparatory for the various advanced courses listed afterwards in the catalogue. The college year was divided into two terms, with a vacation of one week preceding the first Monday of February and one of nine weeks preceding the first Monday of September. The expenses for "Elementary studies, per term," was fixed at \$13, with the charge for "Higher branches" \$20 a term. Board in private families was \$12.50 a month.

Some of the history of the institution is given in an article, "Rutersville College," printed in the *Quarterly*, Texas State Historical Association, for October, 1898, Vol. II, p. 124-133, and much of the data in this catalogue is given in the article, though I think it was taken from the college archives rather than this printed catalogue. The article is incorrect in listing many of the parents as students. The *Second Annual Catalogue*, Austin, 1842, is No. 521 here, and there are earlier references to the college in entries for Rutersville Proprietors under 1838, No. 243 here, and under 1839, No. 328 here. There is an account of the college in the *Handbook of Texas*.

No copy located.

SENTINEL - - - Extra. Austin, March 23 [1840]. See *Texas (republic)*. Adjutant General's Office, No. 398 here.

398. TEXAS (*republic*). ADJUTANT GENERAL'S OFFICE.

[Report on the "Council House Fight." Text begins:] San Antonio, March 20, 1840. To his excellency Mirabeau B. Lamar: Sir.—On yesterday morning, the 19th instant, two runners came into town, and announced the arrival of the Comanches, who, about a month since . . . promised to bring in the Texian prisoners in their camp. . . . [Signed at end:] H. McLeod, Agt. [i.e. Adj.] and Inspector General.

[Austin: Printed at the Texas Sentinel Office. 1840.]

Broadside in two columns. 32 x 20.3 cm.

At head: Sentinel --- Extra. Austin, March 23.

This is a firsthand contemporary account of the famous event in Texas history known as the "Council House Fight," and is the authority relied on by Yoakum in his account of the event (Yoakum, Vol. II, p. 298-299).

On March 19, 1840, twelve Comanche chiefs, accompanied by warriors, women and children, had come to San Antonio to make a treaty. When in the Council House they were informed that they would be held as hostages until Texans they had taken as prisoners were released. In the fight which followed seven Texans were killed, with several more wounded, while thirty-five of the Indians were killed and twenty-seven women and children and two old men were captured. Among the Texans killed was "Judge Thompson of Houston." It is obvious that none of the Thompsons listed in the *Handbook of Texas* is this Thompson so I have speculated in the note to Henry Thompson's *Oration* delivered at Houston, March 2, 1839, No. 376 here, that he might be the "Judge Thompson" who was killed in the Council House Fight.

LOCATIONS: TxWFM. TWS.

399. TEXAS (*republic*). ARMY.

[Handbill ordering an election of officers for the First Regiment, First Brigade, Texas Militia.]

[Richmond: Printed at the Richmond Telescope Office. 1840.]

No copy located, but Sidney S. Callender submitted a bill on May 5, 1840, for printing 100 copies (Ms. bill, Archives, Texas State Library).

400. TEXAS (*republic*). BOARD OF TRAVELLING COMMISSIONERS FOR THE DETECTION OF FRAUDULENT LAND CERTIFICATES.

Report of Board of Travelling Commissioners, for Detection of Fraudulent Land Certifciates [*sic*], issued west of the Brazos. Printed by order of House of Representatives. < 200 Copies. [>]

[On verso of title:] Whiting's Print, Austin. [1840.]

8 p. 20 cm.

This report is signed at the end: Richard Roman, Jno. F. C. Henderson, Jesse Billingsly, and dated Bastrop County, August 4th, 1840. It is an important report, listing as it does twenty-five classes of claims the Board has refused to recommend. The Board estimates that about two million six hundred thousand acres are represented in these claims and that certificates for nearly seven million acres will be held by them to be genuine.

The House Journal for the Fifth Congress records, p. 106, under date of November 18, 1840, that this report was presented and that 200 copies were ordered printed. The text is printed in the *Appendix to the Journals . . . House. Fifth Congress*, p. 302-308. There are sketches of Billingsly, i.e., Billingsley, and Roman in the *Handbook of Texas*, which, however, do not mention their membership on this board.

Rader 3068. Sabin 95046.

LOCATIONS: DLC. TxWFM. TWS.

401. TEXAS (*republic*). CONGRESS (*Fourth*). HOUSE. COMMITTEE ON FINANCE.

Report of the Committee on Finance. By order of the House of Representatives.

[On verso of title:] Whiting's Press, Austin. [1840.]

20 p. 20.8 cm.

It appears from the reprinting of this report in the modern *Journals of the Fourth Congress*, Vol. II, House, p. 274-287, that it was reported to the House on January 12, 1840, and 500 copies ordered printed. It is signed at the end, Samuel M. Williams, Chairman. There is a long discussion of the promissory notes of the government, then selling at a large discount, with a recommendation of a plan to increase their value. Increase of tariff duties, but not on distilled spirits, is recommended. More direct taxation is favored.

As^{*} this is the first Texas public document entered under the year 1840, it is probably in order to comment that though on December 6, 1839, the firm of Cruger & Bonnell had been elected by the Fourth Congress public printers over Samuel Whiting, yet only three of the

1840 public documents have Bonnell's "Sentinel Office" imprint and by far the greater number of the 1840 public documents have the Whiting imprint.

LOCATIONS: PHi. RPB. TxU. TWS.

402. TEXAS (*republic*). CONGRESS (*Fourth*). HOUSE. COMMITTEE ON FOREIGN RELATIONS.

Report of the Committee on Foreign Relations, with Accompanying Documents. By order of the House of Representatives.

[At end:] Whiting's Press, Austin. [1840.]

55 p. 20.2 cm.

Here a message of President Lamar, dated January 8, 1840, to the Senate and House regarding certain claims by Great Britain on behalf of its subjects, p. [3]-4, is followed, p. 5-52, by correspondence and reports relating to the claims, and on p. 53-55 by the undated report of the Committee signed at the end, W. Lawrence, Chairman.

One of the British claims arose out of the admittedly improper capture of the British schooner *Eliza Russell* by the Texian schooner *Invincible* in 1837. Here Texas admitted liability. It was an unfortunate case as the Texas Secretary of the Navy was on the *Invincible* at the time of the capture. That times have changed in the last hundred or so years is shown by a letter of Lord Palmerston dated October 23, 1839, to General J. Pinckney Henderson, the Texan representative, given here on p. 33-34, where, after complaining that the *Eliza Russell* claim had not been paid, Palmerston continues, "Under these circumstances, her Majesty's Government would be justifiable in sending out a ship of war to Texas, and in instructing the commander thereof to make a direct demand upon the Texian authorities for the immediate settlement of these claims, and to take all necessary measures for enforcing the payment of the same."

At this time Great Britain had not recognized Texas, though recognition had been given by the United States and France.

Whiting charged for 450 copies (Ms. bill, Archives, Texas State Library). The pamphlet is reprinted in the modern *Journals of the Fourth Congress*, Vol. III, p. [171]-212.

LOCATIONS: DLC. MBAAt. RPB. TxU. TxWFM. TWS.

403. TEXAS (*republic*). CONGRESS (*Fourth*). HOUSE. SPECIAL COMMITTEE ON THE BILL TO EXEMPT CERTAIN LANDS FROM CERTAIN DEBTS.

Report of the Special Committee.

[At end:] Whiting's Press, Austin. [1840.]

4 p. 20.5 cm.

Caption title.

In this report, dated at the beginning January 11th, 1840, and signed K. H. Muse, Chairman, the Select Committee gave cogent reasons for the constitutionality and passage of this important legislation, providing that lands acquired as headrights under the colonization laws of Coahuila and Texas or of the Republic by emigrants from foreign countries should be exempt from all liabilities contracted by the emigrant before coming to Texas. The bill became a law on February 5, 1840, and its text is given in *Laws . . . Fourth Congress*, Houston, 1840, p. 173. Though the report is dated January 11, 1840, it was not presented to the House until January 17. Though the exemption here is limited to debts contracted before coming to Texas, this law is an extension of the principle of the famous homestead law of Texas passed by the Third Congress and approved by President Lamar on January 26, 1839 (*Laws . . . Third Congress*, Houston, Intelligencer Office edition, p. 125-126).

Whiting charged for printing 500 copies (Ms. bill, Archives, Texas State Library). This report is not printed in the modern *Journals of the Fourth Congress*.

LOCATIONS: RPB. TxU. TWS.

404. TEXAS (*republic*). CONGRESS (*Fourth*). SENATE. COMMITTEE ON INDIAN AFFAIRS.

Report of the the [*sic*] Committee on Indian Affairs, on the Cherokee Land Bill.

[At end:] Whiting's Press, Austin. [1840.]

8 p. 20.8 cm.

Caption title.

The majority report, dated at the beginning, Senate Chamber, January 22, 1840, and signed at the end, G. W. Barnett, Chairman, fol-

lowing the lead of Sam Houston, recites the various documents under which the Cherokees held title to their lands in northeast Texas and recommends that the Indian lands in the Cherokee country be reserved from location. It says, "Your Committee are of the opinion that no Indians under the sun ever had rights better established than had the Cherokees," and bitterly attacks those opposing the bill. The minority report by Senator Burton, which follows, attacks the proposed bill with equal bitterness. For a note on Burton's powerful speech in the Senate attacking the bill, and its subsequent history, see No. 381 here.

Barnett was a signer of the Declaration of Independence and a member of the Senate for six successive terms, beginning with the Second Congress.

The text of the majority and minority reports is given in the modern *Journals of the Fourth Congress*, Vol. I, Senate, p. 274-280. The Journal records that 500 copies of both reports were ordered printed.

LOCATIONS: CtY. TxWFM.

405. TEXAS (*republic*). CONGRESS (*Fourth*). SENATE. COMMITTEE ON NAVAL AFFAIRS.

Report of the Chairman of the Committee on Naval Affairs, on the President's Message.

[At end:] Whiting's Press, Austin. [1840.]

8 p. 19.2 cm.

Caption title.

The Senate had passed a resolution asking the President "to inform the Senate by what authority he appointed ninety Naval Officers, during the recess of Congress this present year," and Lamar had replied in a message dated January 3, 1840 (No. 420 here). The report of Oliver Jones, Chairman of the Committee, dated, Committee Room, January 13, 1840, criticizing both the action of the President and the form of his message, is given on p. [1]-3, with the bill proposed by Jones on p. 4. The report of the majority of the Committee, which follows on p. 5-7, upholds the action of the President. It is signed at the end by Francis Moore, Jr., and Harvey Kendrick.

The modern *Journals of the Fourth Congress*, Vol. I, Senate, prints the Jones minority report on p. 245-248 and the report of the majority of the Committee on p. 251-253, saying, incorrectly, in a note to each report that they are reprinted from *Message of His Excellency, the*

President, in reply to a Resolution of the Senate, Austin, 1840 (No. 420 here).

According to the modern *Journals of the Fourth Congress*, Senate, for January 16, 1840, p. 250, "On motion of Mr. [Anson] Jones of Brazoria, 500 copies of this [the majority] report were ordered to be printed together with the report of the Chairman, that the bane and antidote might go together, *pari passu*, to the People."

LOCATIONS: TxWFM.

406. TEXAS (*republic*). CONGRESS (*Fourth*). SENATE. COMMITTEE ON PUBLIC LANDS.

Report of the Committee on Public Lands on Land Bill. Printed by order of the Senate.

[On verso of title:] Whiting's Press, Austin. [1840.]

7 p. 20.9 cm.

This report, signed at the end, I. W. Burton, Chairman Com. on Public Lands, was on a bill from the House entitled "An act to detect fraudulent Land Certificates." It was presented to the Senate of the Fourth Congress on January 9, 1840, and it is reprinted in the modern *Journals of the Fourth Congress*, Vol. I, Senate, p. 218-221, where an order to print 500 copies is recorded. The report criticizes the power given in the House bill to four commissioners to declare void any title which had been issued or declared valid by previous tribunals. Burton's committee recommended a substitute bill, the text of which does not accompany their report. The bill on which Burton's committee made this adverse report passed the Senate and was vetoed by Lamar, but was passed over the veto by both the House and Senate, with Burton voting for the bill in the Senate. The text of the bill is given in *Laws . . . Fourth Congress*, Houston, 1840, p. 139-143. For a criticism of the bill, see the *Report of the Commissioner General Land Office November Seventeenth, 1840*, No. 410 here, and for Lamar's veto message see No. 423 here.

LOCATIONS: DLC. Tx. TxU. TxWFM. DeGolyer. TWS.

407. TEXAS (*republic*). CONGRESS (*Fourth*). SENATE. COMMITTEE ON THE JUDICIARY.

Report of the Committee on the Judiciary, on the Act to provide for the holding of an annual Adjourned Session of the

Supreme Court in the eastern section of the Republic.

[At end:] Whiting's Print. [Austin. 1840?]

2 p. 18.8 cm.

Caption title.

The report, dated, Senate Chamber, Dec'r. 30, 1839, and signed at the end, Anson Jones, Chairman, says that the act would be unconstitutional as the Constitution provides for but one Supreme Court which shall convene annually. The text of the report is reprinted from the only located copy at the Grand Lodge at Waco in the modern *Journals of the Fourth Congress*, Vol. I, Senate, p. 182-183, where an order to print 500 copies is recorded.

LOCATIONS: TxWFM.

408. TEXAS (*republic*). CONGRESS (*Fifth*). JOINT COMMITTEE ON PUBLIC LANDS.

Evidence in Relation to Land Titles, taken before Joint Committee on Public Lands. Printed by order of House of Representatives. < 150 copies. [>]

[On verso of title:] Whiting's Press, Austin. [1840.]

39 p. 20.5 cm.

Rader 3059. Sabin 94963.

LOCATIONS: DLC. TxU. TxWFM. TWS.

408A. — Second issue, with same title except that "Printed by order of the Senate." is substituted for "Printed by order of House of Representatives."

39 p. 20 cm.

This important pamphlet giving evidence presented at hearings of the Joint Committee on Public Lands, held in December, 1840, relates to the whole question of the validity of the so-called "Eleven League Grants" made by the State of Coahuila and Texas prior to Texan independence, and is important for the historic "Robertson Colony Controversy," to which Dr. Barker devoted a whole chapter in his *Life of Austin*, and which John Henry Brown dealt with at length in Vol. I of his *History of Texas*. I might remark here that Dr. Barker mentions in his account, p. 350 *note*, Brown's "gratuitous interpolations and distortions" with regard to Austin.

The pamphlet begins with the text of the petition, dated Monclova, May 11, 1835, of S. M. Williams, Robert Peebles and F. W. Johnson for the "Four Hundred League Grant," with Governor Viesca's favorable action thereon of May 13. Fifteen more depositions follow, among which are those of Sterling C. Robertson, John P. Borden, the Commissioner of the General Land Office, Adolphus Sterne, John Durst and E. L. R. Wheelock, one of the first settlers in the Robertson Colony. Several of the documents and reports of testimony in this pamphlet are relied on as authorities by Dr. Barker in his noteworthy article, "Land Speculation as a Cause of the Texas Revolution," in the *Quarterly*, Texas State Historical Association, for July, 1906, Vol. X, p. 76-95.

The question of the validity of the Eleven League Grant titles continued after Texas became a state, and in 1856 the text of this pamphlet, together with Stephen F. Austin's letter to the Texas Senate, written by him in December, 1836, shortly before his death, was reprinted in a rare pamphlet in my collection (Winkler, *Texas Imprints*, No. 721). Another later pamphlet is James Armstrong's *Some Facts on the Eleven League Controversy*, Austin, 1859 (also in my collection, with Mr. Winkler only locating a photostat in his *Texas Imprints*, No. 1116).

The House Journal of the Fifth Congress, First Session, records (p. 282) that on December 16, 1840, 150 copies of this evidence were ordered printed, and on December 21 the Senate Journal records an order to print 150 copies of the evidence "as printed by the House."

This pamphlet is reprinted, except for the joint resolution on the verso of the title page, in *Appendix . . . Journals . . . House, Fifth Congress*, p. 329-368. In the *Appendix*, p. 369-371, is an undated letter, not in the pamphlet report, from Samuel M. Williams to Robert Potter, Chairman of the Committee on Public Lands, giving further evidence. This was in response to a resolution of the House of January 3, 1841, and was separately printed. See 1842 entry under Williams, *Evidence of Samuel M. Williams, in relation to Land Titles*, No. 499 here.

LOCATIONS: Graff.

409. TEXAS (*republic*). DEPARTMENT OF STATE.

. . . Report of the Secretary of State. November Twenty-Fifth, 1840.

Printed at the Sentinel Office. [Austin. 1840.]

24 p. 19.6 cm.

At head of title: Fifth Congress, First Session. Document No. 3. House of Representatives. 200 copies ordered to be printed.

This brief report, dated at the beginning, on p. [3], City of Austin, October 20th, 1840, and signed at the end on p. 5, Joseph Waples, Acting Secretary of State, is followed by Documents A through E, p. 6-24. These include material on the Texian Boundary Line Commission (Document A). In the reprinting of this report in *Appendix . . . Journals of the House, Fifth Congress*, p. [3]-26, the date at the beginning is October 29th, 1840, instead of October 20, and on p. 27-44 various communications of the State Department, not in the pamphlet report, are printed. Included in this additional material are documents relating to translating the Laws of the Republic into Spanish, p. 28-35, and various documents relating to Cruger and Bonnell and public printing, p. 35-44, one of which is dated as late as January 13, 1841. The reason for the date, "November Twenty-Fifth, 1840" in the title of the pamphlet report has eluded me. Joseph Waples, who signed the report as Acting Secretary of State, was Chief Clerk in the Department.

Sabin 95038.

LOCATIONS: Tx. TxU. TxWFM.

410. TEXAS (*republic*). GENERAL LAND OFFICE.

Report of the Commissioner General Land Office November Seventeenth, 1840.

Printed by order of Congress. — Sentinel print. [Austin. 1840.]

9 p., verso, Statement A, folding table (Statement B), blank leaf. 18.7 cm.

The commissioner, John P. Borden, reports no progress made by the Commissioners for the region "east of the Brazos," and only minor progress for those "west of the Brazos." These were the Commissioners who were elected under the provisions of the act to detect fraudulent Land Certificates, which became law over Lamar's veto (No. 423 here) on January 29, 1840. Borden vigorously recommends the repeal of the law. Changes in the General Land Law of December, 1837, and in the act approved February 5, 1840, to provide for the return of surveys, are also recommended.

Two hundred copies of the report and accompanying documents, "except document marked C," were ordered printed for the House

on November 11, 1840. Statement A shows the number of certificates recommended for patents by the Commissioners "west of the Brazos," and Statement B the number of certificates of each class of headright returned and recorded. Document C, "Synopsis of Translations made in this office since Jan., 1838," appears on the last page of the printing of this report in the *Appendix to the Journals of the House . . . Fifth Congress*, p. [250]-261. In that printing Borden's report is correctly dated October 17, 1840, and not November 17 as in the title here.

For the report of the Commissioners "west of the Brazos," see No. 400 here.

Sabin 94982.

LOCATIONS: TxWFM.

411. TEXAS (*republic*). LAWS.

An Act Altering the Several Acts to Raise a Public Revenue by Impost Duties. Also: An Act to Provide and Establish the Warehousing System in the Ports of This Republic. To Which is Added the President's Proclamation.

Austin: Sentinel Print. 1840.

39 p. 13.7 cm.

With certain exceptions in the case of some articles, an *ad valorem* duty of fifteen per cent was placed on imports. The proclamation, which was authorized by the first act, provided that duties were abolished "on all wines, the product of France, imported direct from any of the ports of France in French or Texian vessels."

The first act is printed in *Laws . . . Fourth Congress*, p. 35-51, and the act establishing the warehousing system on p. 51-55. Both acts were approved by Lamar on February 5, 1840. The proclamation, dated February 11, 1840, is printed in *Laws . . . Fifth Congress*, p. 194 (Appendix, p. 8, in the second issue).

Sabin 94989.

LOCATIONS: TWS.

412. TEXAS (*republic*). LAWS.

[An Act concerning Civil Rights, Actions and Prosecutions.]

[Austin? Printed at the Austin City Gazette Office? 1840?]

No copy located, but the following advertisement appeared in the

Austin City Gazette January 13, 1841: "A Few Copies of 'Evidence in relation to Land Titles,' taken before Joint Committee on Public Lands; and 'An act concerning Civil Rights, Actions and Prosecutions,' for sale at this office." The only act I find passed by January 13, 1841, which seems to fit this description is "An Act to regulate the proceedings in Civil Suits," approved February 5, 1840 (*Laws . . . Fourth Congress*, Houston, 1840, p. 88-93).

Since Whiting printed the volume of *Evidence in Relation to Land Titles* (No. 408 here), he probably printed this act which he advertised for sale with it.

413. TEXAS (*republic*). LAWS.

An Act defining the duties of the officers of the Treasury Department. [25 numbered sections, signed by David S. Kaufman, and David G. Burnet, as Speaker of the House, and President of the Senate. At end:] Approved February 5th, 1840. Mirabeau B. Lamar.

[Austin: Printed at the Austin City Gazette Office. 1840.]

Broadside in three columns. 47 x 29 cm.

This act was printed in *Laws . . . Fourth Congress*, Houston, 1840, p. 100-106.

Entered from a copy at Tx now missing; photostat in TWS. The title and first twelve lines of the act are at the foot of the first column. Whatever occupied the rest of the column has been cut away.

TEXAS (*republic*). LAWS.

An Act to amend and reduce into one the Several Laws Regulating the Post-Office Department . . . 1840. *See* Texas (*republic*). Post-Office Department, No. 419 here.

414. TEXAS (*republic*). LAWS.

[An Act to Provide for the Return of Surveys, for the Collection of Government Dues on Lands, and for Other Purposes.]

[Austin: Printed at the Texas Sentinel Office. 1840.]

No copy located, but Cruger & Bonnell's bill for printing 150 copies in pamphlet form was approved for payment February 17, 1840 (Ms.

bill, Archives, Texas State Library). The text of the act is printed in the *Laws . . . of the Fourth Congress*, Houston, 1840, p. 261-263.

415. TEXAS (*republic*). LAWS.

Alphabetical Index to the Laws of the Republic of Texas. Vols. I, II, III, & IV.

[Houston: Printed at the Telegraph Office. 1840?]

35 p., verso blank. 20.7 cm.

Caption title followed by "Note.—To make this Index applicable to the volumes of Laws as published, it is necessary that the Laws of the 2d session of the second congress commonly called volume 3d, should be paged as part of the second volume; that is, the first page of this 3d volume must be numbered 123 . . . and so on, calling the whole volume 2d."

This is an index to the laws of the first four congresses as published by the Telegraph Press. For a continuation covering the laws of the Fifth Congress, see No. 478 here.

Sabin 95002.

LOCATIONS: CU-B. CtY. DLC. MH-L. NN. Tx. TxU. TWS. Also 14 others.

416. TEXAS (*republic*). LAWS.

Laws of the Republic of Texas, Passed at the Session of the Fourth Congress. Printed by Order of the Secretary of State. In one volume.

Houston: Telegraph Power Press. 1840.

280 p.; index, vii p.; certificate [1] p.; leaf of errata, verso blank; blank leaf. 22 cm.

The issue of Whiting's *Austin City Gazette* for June 24, 1840, under the heading, Laws of the Last Congress (that is, the Fourth), reports that "in today's paper we conclude the publication of all the laws of a general character, and commence the publication of the various acts of incorporation . . . Arrangements have been made for printing the Laws of the last Congress in pamphlet form, at the Telegraph office in Houston."

The printer's bill of September 17, 1840, charged for 2000 copies (Ms., Archives, Texas State Library). These laws of the Fourth Con-

gress are given in a page-for-page reprint, except for the omission of "Telegraph Power Press" from the imprint, in Gammel, Vol. II, p. [175]-463.

Raines, p. 230. Sabin 9500, *note*.

LOCATIONS: CU-B. CtY. DLC. MH-L. NN. Tx. TxU. TWS. Also 30 others.

417. TEXAS (*republic*). LAWS.

List of Acts and Joint Resolutions passed by the Fourth Congress, commencing the 11th November, 1839.

[At end:] Whiting's Press Austin. [1840.]

11 p. 20.2 cm.

Caption title.

As stated in the note to the listing of the acts of the First Congress, No. 170 here, this list for the Fourth Congress is entered as it is apparently the only printed record of the private acts of this Congress. Here 264 laws or resolutions are listed, of which 120 are private acts not printed in the volume of laws of the Fourth Congress.

LOCATIONS: Tx.

418. TEXAS (*republic*). NAVY DEPARTMENT.

Report of the Secretary of the Navy, November, 1840. Printed by order of House of Representatives.

[On verso of title:] Whiting's Print, Austin. [1840.]

28 p. 22.5 cm.

This report, addressed to President Lamar, is dated at the beginning, November 4, 1840, and signed at the end, Louis P. Cooke, Secretary of the Navy. The pamphlet report includes two documents lettered A and B. As reprinted in *Appendix . . . Journals of the House . . . Fifth Congress*, p. 185-239, there are seven documents lettered A-G. One of these, Document F, is the report of Commodore E. W. Moore, dated, "Texas Sloop of War Austin, At Sea, August 28th 1840." A statement of latitude and longitude follows, indicating a position just off the Mexican coast a little below the mouth of the Rio Grande. The Moore report relates to the visit of Texas ships to Yucatan. Cooke says that when the navy returns from its present cruise no money will be available for its upkeep and recommends that unless

liberal appropriations are made for its maintenance, the navy be disbanded.

On November 9 the House adopted a report of the Committee on Naval Affairs recommending printing only the brief report of the Secretary of the Navy with Documents A and B, and the part of the letter of Commodore Moore relating to the ship *Zavala*. References to the printing of 250 copies of this pamphlet for the House and 500 copies for the Senate are given in the note to President Lamar's *Mesage* submitted to Congress November 4, 1840, No. 422 here.

Cooke is entitled to enduring fame as the author of the Texas Homestead Exemption Law enacted in February, 1840, and generally followed in the United States. Otherwise he was less than admirable, according to an interesting article, "The Author of the Homestead Exemption Law," in the *Southwestern Historical Quarterly* for July, 1916, Vol. XX, p. 35-40.

Sabin 95005.

LOCATIONS: Tx. TxWFM.

419. TEXAS (*republic*). POST OFFICE DEPARTMENT.

An Act to amend and reduce into one the several laws regulating the Post-Office Department. To which is added Instructions and Forms for the Guidance of Post-Masters. Printed by order of the Postmaster-General.

Austin Gazette Office — S. Whiting, Printer. 1840.

48 p. 20.3 cm.

The act, p. 3-21, is followed by "Instructions to Post-Masters Relative to Their Duties," p. 22-36, signed and dated on p. 36: John Rice Jones, Post-Master-General. Post Office Department, City of Austin, 10th March, 1840. Forms follow on p. 37-45 and on p. 46-48 is an alphabetical list of the one hundred and nineteen post offices then in the Republic, with the name of each postmaster and the distance from Austin. The most distant is said to be Coffee's Station in Fannin County, marked as 672 miles from Austin. This interesting pamphlet is not listed in the bibliography of an article by W. L. Newsom, "The Postal System of the Republic of Texas" (*Southwestern Historical Quarterly* for October, 1916, Vol. XX, p. [103]-131).

The Act, which was approved February 6, 1840, is printed in *Laws . . . Fourth Congress*, p. 74-88. For an earlier law and set of instructions

issued in 1836 see No. 171 here, and for instructions issued in 1837, see No. 212 here.

Whiting was paid on April 19, 1840, for 583 copies (Day Book, Post Office Department, Ledger No. 74, Archives, Texas State Library).

Sabin 94990.

LOCATIONS: TxU. TWS.

TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

[Address to the army on the subject of desertion, dated:] Executive Department, Austin, March 14, 1840. [Text begins:] Soldiers:—I am constrained by feelings of deep regret and mortification, to address you in the language of admonition.

...

Published with "General Order, No. 6. Adjutant and Inspector General's Office, Austin, March 14th, 1840.", with which it is entered as No. 426 here.

420. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Message of His Excellency, the President, in reply to a Resolution of the Senate; with accompanying documents. Printed by order of the Senate.

[On verso of p. 7:] Whiting's Press, Austin. [1840.]

7, [1] p., 2 inserted leaves (one a folding table). 19.5 cm.

This is President Lamar's Message, dated January 3, 1840, in which he defends his right to make Naval appointments during the recess of Congress, p. [3]-6. It is followed by a report on the number of officers appointed submitted to Lamar by Louis P. Cooke, Secretary of the Navy, and dated December 28, 1839, p. 6-7. These are printed in the modern *Journals of the Fourth Congress*, Vol. I, Senate, p. 200-203, and Lamar's Message is also printed as No. 1673, *Lamar Papers*, Vol. III, p. 296-299.

The first of the inserted leaves mentioned in the collation is a letter from Cooke to the Senate Committee on Naval Affairs, dated December 16, 1839, submitting a "Navy List." (The letter is printed in the above *Journals*, Vol. I, p. 188, but the "List" is not printed here or in the *Journals*.) The second leaf is an "Estimate of Officers and Men

for the Vessels in Service" (printed in the *Journals*, Vol. I, p. 189), and is referred to in Cooke's report to Lamar as an accompanying document.

Five hundred copies of this *Message* and the report of the Secretary of the Navy were ordered printed by the Senate on January 3, 1840. For the minority report on the message by the Chairman of the Committee on Naval Affairs and the report of the majority of that Senate committee, see No. 405 here.

Sabin 95022.

LOCATIONS: TxWFM. DeGolyer.

421. TEXAS (*republic*). PRESIDENT, 1838-1841 (*David G. Burnet, acting for Mirabeau B. Lamar*).

Message of the President, on the Subject of Our Mexican Relations.

[Austin: Printed at the Austin City Gazette Office. 1840.]

4 p. 22 cm.

Caption title.

In this *Message*, dated at the beginning, Austin, Dec. 16th, 1840, and signed, David G. Burnet, Burnet, who was acting as President in the absence of Lamar, reports that intelligence received the evening before from the west was that Mexico was "again marshalling her forces for the invasion of Texas." The pamphlet includes a report to Burnet of the same date by Major General Huston recommending raising a force to meet the invasion and the joint report of a committee of the Senate and House adopted December 17. Also included is a joint resolution offered by the committee.

The Senate Journal for December 19, 1840, p. 82, records that fifty copies of the message, documents and resolutions were ordered printed and these texts, except for the resolutions which do not seem to have been printed, are given in the House *Journal* for December 17 and 18, 1840, p. 292-294, and 300-301. Later the Senate Journal for January 15, 1841, records a resolution "that the Senate take 200 copies of the printed message and accompanying documents from the President, on the subject of a war with Mexico."

For a slightly later message on the Mexican invasion see No. 454 here. Sabin 95023.

LOCATIONS: Tx. TxWFM.

422. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Message of the President, to the Fifth Congress of the Republic, Submitted Nov. Fourth, 1840.

Printed by order of Congress. — Sentinel print. [Austin. 1840.]

12 p. 18.7 cm.

This annual Message is dated at the beginning, Nov. 1st, 1840, and was read at a joint session of the House and Senate held November 4, 1840. There is little in it calling for comment here, except that it does explain why the act of the previous session of Congress providing for laying up the navy was not carried into effect.

The House had a hard time deciding how many copies of this Message and the reports of the departments which accompanied it should be printed. A resolution adopted November 4 for printing five hundred copies of the Message and accompanying reports was reconsidered the next day and the number of accompanying reports reduced to two hundred and fifty. On November 6 there were various votes about the number of copies of the Message to be printed, but at the end the number stood as before. On the same day the Committee on Printing recommended (*Journal*, p. 37), that the accompanying departmental reports be referred to appropriate committees and abstracts prepared for the press. The *Journal* of the Senate for November 9, p. 10, records passage of a resolution for printing 500 copies of the President's Message and the accompanying documents.

The *Message* is reprinted in the *House Journal . . . Fifth Congress*, p. 15-26, and in Vol. III of the *Lamar Papers*, No. 1932, p. 464-470.

Sabin 95024.

LOCATIONS: TxWFM.

423. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

President's Veto Message on Bill to detect Fraudulent Land Certificates with Accompanying Bill. By order of the House of Representatives.

[On verso of title:] Whiting's Press, Austin. [1840.]

14 p., blank leaf. 21.3 cm.

The Message, which is dated at the beginning, Austin, 27th January, 1840, is followed by a "Supplementary Message," dated January 28th,

1840, and at the end, p. 10-14, is the text of the act which was vetoed and a record of its passage over the veto. One of Lamar's objections was what seems to me to have been a valid one to Section Six of the bill, providing that the patent for a head-right claim should be made out in the name of the original claimant. His other objection was to Section Eight, which had been struck out while the bill was before him.

The text of the veto and supplemental veto messages is given in Vol. III of the *Lamar Papers*, Nos. 1699 and 1701, p. 315-316 and 317-320. The two messages are also printed in the modern *Journals of the Fourth Congress*, Vol. II, House, p. 315-317 and 319-322, and 500 copies were ordered printed on January 27, 1840. The act, as submitted to Lamar, is printed in *Laws . . . Fourth Congress*, p. 139-143, with the repeal of Section Eight approved by Lamar on p. 143.

LOCATIONS: PHi. TWS.

424. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

[Proclamation enjoining strict neutrality on citizens of Texas in the struggle in Mexico between the centralists and the federalists.]

[Austin? 1840?]

No copy located, but described by Yoakum (*History of Texas*, Vol. II, p. 288) as follows:

President Lamar, believing it incompatible with the true interest and honor of Texas that her citizens should intermeddle with that contest, issued his proclamation, warning them not to invade Mexico . . . until by public notice it should be announced that active hostilities were to be renewed . . . declaring that any citizen who should invade the Mexican republic . . . should be considered without the protection of the Texan government.

TEXAS (*republic*). STATE DEPARTMENT.

See Texas (*republic*). Department of State, No. 409 here.

425. TEXAS (*republic*). SUPREME COURT.

Rules of the Supreme Court, and of the District Courts, of the Republic of Texas. Adopted by the Supreme Court, at the January Term, 1840.

[Houston: Printed at the Telegraph Office. 1840.]

13, [1] p. 20.2 cm.

The certification at the end is dated, "City of Austin, this 27th day of January, A.D. 1840," and is signed by Thomas J. Rusk as Chief Justice and by John T. Mills, Edward T. Branch, Anthony B. Shelby, William J. Jones, and John Hemphill as Associate Judges. The certificate is attested by W. F. Gray, Clerk.

These *Rules* were advertised for sale in the *Telegraph and Texas Register* of July 8, 1840, and Cruger & Moore billed the Government for 1000 copies (Ms., Archives, Texas State Library).

Mr. Winkler has called my attention to the fact that in the printing of these Rules in Vol. I of *Texas Reports*, Galveston, 1848, p. [845]-847, Rule XII, relating to inspection by the Supreme Court of papers filed in the District Court, has been omitted.

Sabin 95044.

LOCATIONS: CtY. MH-L (lacks title page). TxU. Graff.

TEXAS (*republic*). TRAVELLING COMMISSIONERS FOR THE DETECTION OF FRAUDULENT LAND CERTIFICATES.

See Texas (*republic*). Board of Travelling Commissioners for the Detection of Fraudulent Land Certificates, No. 400 here.

426. TEXAS (*republic*). WAR DEPARTMENT.

General Order, No. 6. [Dated at head:] Adjutant and Inspector General's Office, Austin, March 14th, 1840. [Text begins:] The subjoined address of the President of the Republic, to the Army, is designed as an admonition to past and a warning to all future deserters. . . . Printed copies of the President's address will be transmitted to each Post, and distributed by the commanding officers among the men . . . [Signed:] By order of the act'g Sec'y of War. H. McLeod, Adj. and Insp. General. [The order printed at the left of the sheet, the address of the President at the right, dated:] Executive Department, Austin March 14, 1840. [Text begins:] Soldiers: — I am constrained by feelings of deep regret and mortification, to address you in the language of admonition. . . . [Signed at end:] Mirabeau B. Lamar.

[Austin: Printed at the Austin City Gazette Office. 1840.]

Broadside. 25.2 x 41.2 cm.

The General Order relates that the death penalty had been imposed in Court Martial proceedings on many deserters who then had appealed to the mercy of the Executive because of the rigor of the winter and their destitution without proper clothing or supplies. The order warns that proper supplies are on the way and the plea for mercy will no longer be granted. Lamar's address says that pardons for desertion cannot continue in the future, but that a pardon is guaranteed to deserters who now return to duty.

Lamar's address of March 14, 1840, is reprinted in Vol. III of the *Lamar Papers*, No. 1745, p. 352-353.

LOCATIONS: TxU.

427. TEXAS (*republic*). WAR DEPARTMENT.

Report of the Secretary of War. November, 1840. Printed by order of House of Representatives.

[On verso of title:] Whiting's Print, Austin. [1840.]

32 p. 19.2 cm.

This report is dated at the beginning, City of Austin, Sept. 30th, 1840, and is signed at the end on p. 11, B. T. Archer, Secretary of War. In the pamphlet, reports follow (p. 12-26) of H. M. McLeod, Adjutant and Inspector General, of William L. Cazneau as Acting Quartermaster General and as Commissary General, and of J. Snively as Paymaster General. These are followed (p. 27-32) by Documents G, H, and K through M. The text of the foregoing, together with additional Documents A through F and Documents I and J, are reprinted in the *Appendix ... Journals ... House ... Fifth Congress*, p. [115]-183. These documents in the *Appendix*, not given in the pamphlet report, include accounts of various engagements and campaigns during the previous twelve months. Document M, given in the pamphlet report, is a two-page letter from President Lamar, To the Citizens of Santa Fe, dated Austin, April 14, 1840.

Whiting's charge of December 1, 1840, was for 250 copies (Ms., Archives, Texas State Library).

Sabin 95060.

LOCATIONS: TxWFM.

428. TEXAS (*republic*). WAR DEPARTMENT.

War Department, City of Austin, June 6, 1840: Fellow Citizens: Information has been received by the Department, of such a nature as to render necessary an appeal to arms. . . . [Proclamation signed by B. T. Archer, Secretary of War, publishing:] General Order, No. 24. Adjutant and Insp'r Gen's Office, Austin, June 5th, 1840. The Brigadier Generals of the First and Second Brigades are required to immediately bring into the field, the full militia of the counties named below . . . By Order of the Sec'y of War. Geo. W. Hockley, Acting Adj't and Insp'r Gen'l.

[Austin: Printed at the Texas Sentinel Office. 1840.]

Broadside. 25.5 x 15.5 cm.

The Federalist revolt of Canales and others against the Centralists commanded by General Arista was active in the year 1840 and is the subject of several entries here in Part II. In his proclamation, Archer reports that Arista is believed to be approaching San Patricio with a considerable force, and that the Comanches, Cherokees and other Indian tribes are concentrating a large force on the upper Brazos "with a view doubtless of attacking our towns and settlements." The order which follows, calling out the first and part of the second brigade, applies to fourteen of the counties located west and south of the Trinity. There is an interesting article by David M. Vigness in the *Southwestern Historical Quarterly* for January, 1954, Vol. LVII, p. [312]-321, entitled "Relations of the Republic of Texas and the Republic of the Rio Grande," which tells of the revolt of Canales.

Cruger & Bonnell's bill of June 6, 1840, charged for 150 copies (Ms., Archives, Texas State Library).

LOCATIONS: TWS.

429. TEXAS SENTINEL, *Austin*.

[Texas Sentinel. Extra. Austin, Thursday, August 13, 1840. (General Felix Huston's Report on the Defeat of the Indians Who Had Raided Linnville and Victoria.)]

[Austin: Printed at the Texas Sentinel Office. 1840.]

[Broadside?]

No copy located, but republished from this extra in the *Telegraph and Texas Register* of August 26, 1840.

430. TRAVIS GUARDS, *Austin*.

Constitution and By-Laws of the Travis Guards: Adopted March First, 1840.

Austin: Cruger and Bonnell's Print. 1840.

16 p. 16 cm.

The constitution and by-laws of the Travis Guards are very similar to the constitution and by-laws of the Milam Guards, No. 325 here, even as to election to the Guards and fines. As was the case with the Milam Guards, the act incorporating the Travis Guards was approved some time after the organization of the Guards, the act for the Travis Guards not having been approved until January 23, 1841 (*Laws . . . Fifth Congress*, Houston, 1841, p. 52). At the end here, on p. 15-16, is a list of the officers and privates of the Travis Guards. Some years ago Mr. Winkler made the comment to me that "the mode of induction, the initiation fee, and the dues and fines probably limited membership in this organization to Austin's elite."

The *Charter and Constitution of the Galveston Artillery Company*, No. 516 here, has fewer of the characteristics of a social club than this constitution of the Travis Guards.

LOCATIONS: TxU.

1841

431. [ANDERSON, KENNETH LEWIS, 1805-1845.]

[Circular. To the Citizens of San Augustine. (Announcement of his candidacy for Representative and statement of principles, signed at end:) K. L. Anderson.]

[San Augustine: Printed at the Red-Lander Office. 1841.]

[Broadside?]

Anderson was elected to the House and when the Sixth Congress assembled he was elected Speaker.

No copy located, but the circular is printed in full in the *Red-Lander* (San Augustine), July 1, 1841, where it is described as having been "disseminated among the people" during the preceding week.

432. AUSTIN. COMPLIMENTARY PARTY.

Complimentary Party. [Invitation dated Austin, Sept. 16, 1841, and signed by Joseph Lee and five others as a committee of arrangements, to "a Party, to be given at the Capitol to Col. Martin Francisco Peraza, and Don Donaciano G. Rejon, of Yucatan, on Friday Evening next, the 17th inst."]

[Austin: Printed at the Austin City Gazette Office: 1841.]

4-page folder printed on page [1]. 21.8 x 14 cm.

Peraza and Rejon were in Austin, as representatives of the revolutionary government of Yucatan, negotiating for the sending of vessels of the Texas navy to aid Yucatan in its revolt against Mexico. The note to No. 470 here, *Correspondence between the Secretary of State, and Col. Peraza*, has an account of these negotiations.

LOCATIONS: Tx.

433. AUSTIN. INAUGURATION BALL.

Inauguration Ball. [Invitation dated Austin, 10th December, 1841, signed by John A. Greer and seventeen other managers, including James B. Shaw and Jacob Snively, to a ball "to be given at the Capitol, on Monday evening, the 13th inst."]

[Austin: Printed at the Austin City Gazette Office. 1841.]

4-page folder printed on page [1]. 16.5 x 11.5 cm.

LOCATIONS: TxAuDR (privately owned copy on loan; printed on white silk).

434. AUSTIN. MASONIC BALL.

Masonic Ball. [Invitation dated Austin, 15th June, 1841, signed by Comp. James Izod and eleven other managers, to a ball "to be given at the Capitol, on Thursday evening, the 24th instant."]

[Austin: Printed at the Austin City Gazette Office. 1841.]

4-page folder printed on page [1]. 22 x 14 cm.

LOCATIONS: Tx. TWS.

435. AUSTIN CITY GAZETTE.

Austin City Gazette. - - Extra. . . . City of Austin, October 29th, 1841. [Includes the "Declaration of the Garrison of Jalisco to their Fellow-Citizens", and related documents translated for the *Austin City Gazette*, preceded by brief notices and editorial comment and followed by four advertisements.]

Published by Samuel Whiting, Gazette Printing Office, Congress Avenue. . . . City of Austin . . . 1841.

Broadsheet, both sides in four columns. 53.2 x 37.3 cm.

In this extra, the translations into English of the Jalisco declaration made in the summer of 1841 against the Bustamante administration of Mexican affairs is followed by translations of the Santa Anna manifestos of August 24, 1841, from Manga de Clavo and of September 2 and 8 from Perote. Other and less important supporting documents of Mexican officials are included.

LOCATIONS: NN. TX.

436. BAPTISTS, *Texas*. UNION ASSOCIATION OF THE REGULAR BAPTIST FAITH AND ORDER.

. . . The Proceedings of the Convention in the Formation of the Union Association with the Minutes of the Proceedings.

[n.p. 1841?]

8 p. 23 cm.

Caption title.

At head of title: Republic of Texas. County of Nacogdoches.

This crudely printed and badly frayed pamphlet gives an account of the first two meetings of a small association of Primitive Baptist churches, of which the leading spirit was Daniel Parker, brother of Silas M. Parker, and of James W. Parker with whom he went to Texas in a colonizing expedition in 1832. For an account of the orthodox and much larger Union Baptist Association, which also held its first meeting in October, 1840, see No. 379 here, *Minutes of the First Ses-*

sion of the Union Baptist Association . . . Oct. 8th, 1840, Houston, 1840.

Here (p. [1]-4), a record of the proceedings of a convention held "at Hopewell Meeting House, near the town of Douglas . . . on the 17th day of October 1840," which organized the Union Association, is signed by Daniel Parker at the end on p. 4 as Moderator, and by Garrison Greenwood as Secretary. This is followed on p. 4-5 by "Minutes of the 2d annual meeting of the Union Association of regular Baptists, began and held at Boggy Bayou Meeting House in Caddo Parish, La., on the 11th day of Sept. 1841." At the end, p. 5-9, is a circular, "The Union Association of the regular Baptist Faith and order to the Churches of whom She is composed." This is also signed at the end, D. Parker, Moderator. G. Greenwood, Clerk.

At its second annual meeting, the Association appointed Elder D. Parker to superintend the printing of these minutes, and the minutes of the preceding Association. I had thought that this pamphlet might have been printed on the press of the *Red-Lander* at San Augustine, but this is not readily apparent from a comparison of types.

Most of the issue of the *Quarterly*, Texas State Historical Association, for October, 1907, Vol. XI, p. [85]-156, is taken up under the title, "The Records of an Early Texas Baptist Church," with records for the period 1833-1847 found in "The Church Book, belonging to the Pilgrim Predestinarian Regular Baptist Church of Jesus Christ," the church founded by Daniel Parker. There is much in these records relating to Daniel Parker, and on p. 118 is a reference to the meeting to be held at Hopewell on October 17, 1840; and on p. 127 is a record of appointing "Elders G. Greenwood, and D. Parker" to the September, 1841, meeting of the Association.

See No. 553 here for entry for the Fourth Annual Meeting of the Union Association of the Regular Baptist Faith and Order. No copy of this last has been located. Hogan in his *Texas Republic*, p. 198, gives a short account of this association of Primitive Baptists.

LOCATIONS: TxWB.

437. BORDEN, THOMAS HENRY, 1804-1877.

To the Citizens of Galveston County. [Address regarding his campaign for Sheriff. Text begins:] Having been announced a Candidate for Sheriff . . . I take this method of saying . . . I

have . . . lived in Galveston fourteen months, and have been a resident citizen of this County more than sixteen years . . . having like many others of the first settlers "stood up to the rack," in times past . . . [Signed and dated at end:] Tho. H. Borden. Galveston, 27th Jan. 1841.

[Galveston: Printed at the Daily Courier Office? 1841.]

Broadside. 24.2 x 20.4 cm.

Borden has here a lively circular, but there is no mention of his election as sheriff in the sketch of him in the *Handbook of Texas*.

LOCATIONS: TxGR.

438. [CHRONICLES.]

[The Chronicles.]

[Galveston? Printed at the Galvestonian Office? 1841.]

No copy located, but advertised as follows in the *Daily Galvestonian*, December 6, 1841: "The Chronicles in pamphlet form, will be ready for delivery at this office on to-morrow. Price 25 cents."

As Lamar's term as President was about to expire, this perhaps refers to a separate printing of "The Chronicles" which were published in the issues of the *Morning Star* (Houston), for October 2 and 3, 1839. They were cleverly written sketches, in the style of the Old Testament, on Lamar's conduct at the Battle of San Jacinto and his election as President in 1838.

439. CITIZENS OF TEXAS.

Citizens of Texas! [Election circular got out by supporters of David G. Burnet in the presidential election of September 1841. Text begins:] You are about to elect a Chief Magistrate of the Nation . . . ponder well the following statements . . . [Followed by two parallel columns on the respective records of Burnet and Houston, most laudatory of Burnet, and devastating, if true, as to Houston, and below, by three columns of sample ballots, five copies of each specimen.]

[Houston: Printed at the Telegraph Office. 1841.]

Broadside. 48 x 30 cm.

Houston is charged with refusing to protect the frontier and with saying that "he hoped every man, woman and child that settled North of the San Antonio road would be tomahawked." It is said that "he has become almost insane from dissipation, and his mind is so broken down that he is as forgetful as an old man in second childhood." On the other hand, Burnet "is sober, honest and capable . . . this amiable and excellent man is poor . . . but this very poverty peculiarly fits him for the office of President of a poor people."

Each column of the sample ballot is headed by Burnet's name for President with Memucan Hunt's name for Vice President in one column and that of Edward Burleson for Vice President in another column. In the third column there is no name for Vice President. There is no name after "For Representative." in any of the three columns.

This is the first entry here under the year 1841 relating to the spirited campaign for the presidency carried on by Burnet and Houston in the summer of 1841. An editorial in the *Colorado Gazette and Advertiser* (Matagorda) of August 21, 1841, says that Dr. Francis Moore of the *Telegraph*, one of Burnet's strong supporters, wrote this "whining electioneering hand bill," and put it out "on the eve of the election . . . so as to prevent its being answered, unless by accident a copy may fall into the hands of the editor of an independent paper." One of the features of the campaign was the publication of the new edition of *Houston Displayed*, No. 440 here. See also the two attacks on Burnet by Houston, under the signature of "Truth," Nos. 445 and 446 here. At the election held on the first Monday of September, 1841, Houston was overwhelmingly elected, receiving over three-quarters of all votes cast. There are also several entries here relating to contests for the less important offices of representatives, sheriffs and the like.

LOCATIONS: TxAuDR. TxU.

440. [COLEMAN, ROBERT M., ca. 1799-1837.]

Houston Displayed; or, Who Won the Battle of San Jacinto? By a Farmer in the Army. Reprinted from the Velasco Edition of 1837.

[Houston: Printed at the Telegraph Office. 1841.]

Leaf of title, with introductory note to this edition on verso, Preface, ii p., text [5]-38 p., blank leaf. 23.5 cm. Stitched.

I have a long note about this famous Texas book following the entry for the first edition, published at Velasco, Texas, in 1837, No. 190 here, and there quote laudatory and also critical newspaper comments made in July and August, 1841, on this republication. This second edition is of even greater rarity than the first. Until I located, in November, 1952, what seems to be the only known copy, this second edition, known from contemporary references to have been published, was one of the lost Texas books. My copy belonged to Houston's bitter enemy, David G. Burnet, and has his signature at the head of the title page.

Much of the introductory note on the verso of the title page, dated at the end, Bastrop, March, 1841, deserves full quotation. It reads in part:

The accompanying work was published in Pamphlet form, at Velasco, in the Spring of 1837, and was found to contain so many TRUTHS relative to the conduct of Gen. Sam. Houston, and evinced so intimate an acquaintance with his character, that it was attributed to the pen of the celebrated John Wharton; and such were the fears of the friends of Sam Houston regarding its influence against him, that they exerted themselves so effectually to suppress it, that, although it had been circulated widely through the Republic, in three months after its publication, scarcely a copy could be found. As this individual has again consented to become a candidate for the highest office within the gift of the people, it is due to him and to the country, that his true character should be made known. The facts set forth in this little volume are sustained by the evidence of many living witnesses, among whom are S. A. Sherman, B. F. Smith, Col. Neill, Gen. Burleson, Gen. Lamar, Col. Wm. S. Fisher and several others of the most distinguished men of the country, whose veracity is above impeachment.

A footnote says: "Colonel Coleman was doubtless the Author of this work; hence it is commonly styled 'Coleman's Pamphlet.'"

Though the introduction is dated Bastrop, March, 1841, an entry in the Diary of Adolphus Sterne for July 17, 1841 (*Southwestern Historical Quarterly* for October, 1928, Vol. XXXII, p. 165), reading, "an old Publication against Sam Houston by Col Coleman, is republished, received two Copies," indicates that this second edition was distributed early in July.

Newspaper comments in 1841 on the republication of *Houston Displayed*, in addition to those referred to in the note to the first edition, include one made in the *Red-Lander* (San Augustine) of July 29, 1841, and another in the *Colorado Gazette and Advertiser* of August 7. Both of these are strongly pro-Houston. That the 1841 edition was secretly printed at the office of the *Telegraph* at Houston is stated in the *Weekly Houstonian* of July 29, 1841. In the same issue it is stated that copies of the pamphlet were distributed by one of the Board of

Traveling Commissioners for the Investigation of Land Claims. In the *Red-Lander* (San Augustine) of July 29, 1841, referred to above, it is stated that the copies of the pamphlet were distributed "in the northern counties" by one of the agents of the *Telegraph*.

Later in the month, the *Austin City Gazette* of August 25, 1841, quotes from the *Houstonian* a mild letter from Colonel Neill, who was cited in the introduction of the second edition of *Houston Displayed* as an authority for its statements, which ends, "never yet have I see him [General Houston] when he was not himself, a man, a soldier, and an officer."

LOCATIONS: TWS.

CORRESPONDENCE relative to Difficulties with M. de Saligny, Chargé d'Affaires of France . . . 1841. See *Texas (republic)*. Department of State, No. 471 here.

441. [EDMUNDS, P.]

A Short Review of the Finances of Texas, with a Few Suggestions for the Future.

October — 1841. [At end:] Civilian, print. Galveston.

18 p. 19.8 cm.

This pamphlet, with no statement of authorship, is entirely reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. II, House, p. 282-298, and under the date "Jany. 4th 1842," where it is signed at the end, "P. Edmunds for himself & others." The reprint is prefaced with the statement, "Your petitioner respectfully represents that for himself and others he controls over one fourth of the entire national debt of the Republic of Texas." Edmunds goes on to say that at the request of the creditors he had worked out a plan entitled, "A short review of the Finances of Texas with a few suggestions for the future." Then follows a word for word reprint of the pamphlet entered above.

The pamphlet states that Texas, with an empty treasury, has outstanding about ten millions of debt, selling in the market at about twelve and a half cents on the dollar. It recommends that a national bank be set up, which will issue ten millions of its capital stock to the holders of the Texas debt in return for an assignment to the bank of the debt, and the bank will then cancel for the government this ten

millions of old promissory notes and the like which are costing the government ten or twelve per cent interest, payable in specie, receiving in exchange a new issue of government three per cent bonds payable "at the pleasure of the government." The plan was worked out in considerable detail and had features quite attractive to the government, but nothing finally came of it.

I can find out little about Edmunds except that a short account in the *Writings of Sam Houston*, Vol. II, p. 452-453, records his appointment as consular agent at New Orleans on January 29, 1842, and his abandonment of the office by midsummer. There is no mention of his plan for a bank in Gouge's *Fiscal History of Texas*, Philadelphia, 1852.

LOCATIONS: TxH.

442. FREEMASONS, *Texas*. GRAND LODGE.

Annual Circular. The Most Worshipful, the Grand Lodge of the Republic of Texas, of True and Accepted Ancient York Masons, to the worthy Fraternity of Masons, wherever dispersed over the surface of the Globe — Greeting: — . . . [Signed and dated at end:] Your Brothers and Companions, Given under our hands, and the Seal of our said Grand Lodge, this ——— day of ——— Anno Domini, 1841: ——— Anno Lucis 5841. [Blanks for signatures of Grand Master and five other officers.]

[At end:] < S. Whiting's Print, City of Austin, Texas. > [1841.]

Broadsheet, verso numbered 2. 28.5 x 22.5 cm.

The circular is general in terms and reads in part, "we congratulate ourselves upon the marked prosperity which has signalized the institution of Masonry in this young Republic." The blanks for signatures are filled in on the copy located with the signatures of the Grand Master, A. Butler, and other officers of the Grand Lodge. The circular with the names of the officers signing it is given in full in the *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, Vol. I, p. 87-89. It appears on p. 84 of the *Proceedings* that five hundred copies were to be printed.

LOCATIONS: PPFM.

443. GALVESTON CITY COMPANY.

Report. [Minutes of the annual meeting of the Stockholders held by various adjournments from Nov. 1 to Dec. 20, 1841; and report on the affairs of the Company, for the period ending Oct. 31, 1841. Signed at end:] Henry H. Williams, Chairman. James Love, Sect'ry.

[Galveston: Printed at the Galvestonian Office? 1841.]

Broadside in two columns. 24 x 19 cm.

This interesting report records the sale to October 31, 1841, of 1,543 lots "amounting in the aggregate to \$1,218,911.18 Texas money, of this sum \$901,011.65 has been paid in stock." It appears that "the first sale of lots was made in April, 1838. The City Contains five hundred and ninety six business and dwelling houses, and a population of three thousand souls. It has four churches nearly completed." Gail Borden, Jr., the agent of the company, is given high praise for his management of the company's affairs.

According to the sketch of Williams in the *Handbook of Texas* he was at this time Texas Consul at Baltimore, where he is said to have acted as consul from July, 1838, to at least March 31, 1845, and probably until annexation. Love (1795-1874) is said in the *Handbook* to have been a successful planter, with extensive holdings on the Brazos and to have been a supporter of Lamar and a political opponent of Houston.

Entered from a copy at TxU now missing; photostat in TWS.

444. GILL, JOHN PORTER, 1801-1869, and others.

Circular. [Issued by supporters of Robert Mitchell Forbes as candidate for representative from Brazoria County, including two statements both dated, Columbia, Aug. 24, 1841, signed respectively by John P. Gill and four others, and by James Wilson and 23 others; also one signed Tod Robinson. Text begins:] The undersigned have been informed that Mr. Rob't M. Forbes has been charged . . . with having embezzled a portion of the Army Stores . . . during the campaign of '36 . . .

[n.p. 1841.]

Broadside in two columns. 27.5 x 20 cm.

At this time Forbes seems to have been a successful merchant at Brazoria. He won the election to the House.

LOCATIONS: Tx.

445. [HOUSTON, SAMUEL, 1793-1863.]

... To the Hon. David G. Burnet. [Text begins:] Sir — The actions of all great men in times past have been the subject of historical notice, and I can perceive no good reason why the example should not be adhered to in the present generation, that posterity may not be deprived of the lights and shadows of your illustrious character. ... [Signed:] Truth.

[Houston: Printed at the Houstonian Office. 1841.]

Broadside in three columns. 44 x 30 cm.

At head: The Houstonian. (Extra.) Vol. I. Houston, Monday, August 16, 1841. No. 69.

There are two paragraphs of other matter at the head of the first column and the letter to Burnet is followed by a letter signed by I. N. Moreland and thirty-five others asking Houston to address "the citizens of Houston on the leading measures, which may result during the next administration," and Houston's letter of acceptance, both dated August 14, 1841.

Houston is named as the author of this attack on Burnet, and of the one in the entry which follows, in a careful note (*Writings of Sam Houston*, Vol. II, p. 371-372) to Houston's letter of August 4, 1841, to Ashbel Smith enclosing the manuscript of a sketch attacking Burnet. The note records that Burnet ran a series of five articles, signed "Publius," in the issues of the *Telegraph and Texas Register* from June 23 through July 14, 1841, and another series of five, "To the Friends of Morality and to All who desire to sustain the Moral Character of Texas," signed "Texian." Apparently five letters signed "Truth" were published, but only these first two have survived.

In this first article, after noting that "Publius" had charged Houston "with beastly intemperance, and other vices degrading to humanity," "Truth" charges Burnet with public drunkenness and allowing liquor to be used in the army, with various supporting details. *Houston Displayed*, see No. 440 here, is also contemptuously mentioned.

The *Texas Centinel* (Austin) for August 26, 1841, attacks this circular in an editorial entitled, "An Election Fraud," saying they had heard the circular was "an infamous compilation of falsehood against Judge Burnet," but that as it had been published at the last moment they had been unable to get hold of a copy.

This reply to "Publius" is reprinted in the *Writings of Sam Houston*, Vol. II, p. 376-380.

LOCATIONS: TxWFM.

446. [HOUSTON, SAMUEL, 1793-1863.]

... To the Hon. David G. Burnet. No. II. [Text begins:] Sir — The last number, which I had the honor to call your distinguished attention to, was intended to present to your view, a few of the traits of character, which are the main facts, going to establish your highest claims, to the reputation, which you so richly deserve, as a "*moral and sober*" functionary. It being well established that you have drank more *Brandy* than any other man in the Republic, at the people's expense, it will now, be proper to see, how the public was indebted to you, for your *honest*, and patriotic course. ... [Charges Burnet with land speculation, and reviews his conduct just before and during the Revolution, and during his term as Vice-President. Signed:] Truth.

[Houston: Printed at the Houstonian Office. 1841.]

Broadside in three columns. 45 x 29.8 cm.

At head: The Houstonian. (Extra.) Vol. I. Houston, Wednesday, August 18, 1841. No. 70.

The letter is preceded by a three-line notice.

For Houston authorship and the Burnet charges to which this is a reply, see the note to the preceding entry.

The last two sentences of this letter are perhaps worth quoting as showing the style of these election pieces. They read:

You prate about the faults of other men, while the *blot of foul unmitigated treason rests upon you*. You political brawler and canting hypocrite, whom the waters of Jordan could never cleanse from your political and moral leprosy.

This second letter in reply to "Publius" is reprinted in the *Writings of Sam Houston*, Vol. II, p. 380-386.

LOCATIONS: TxWFM.

HOUSTON Displayed . . . By a Farmer in the Army, [1841.] *See* [Coleman, Robert M.], No. 440 here.

HOUSTONIAN, extras, August 16 and 18, 1841. *See* Houston, Samuel, Nos. 445 and 446 here.

447. [MOORE, JOHN W., ca. 1797-1846.]

[Electioneering handbill, charging C. W. Buckley, an attorney of Houston, with irregularities in practice and with "going privately to the judge and *ex parte* obtaining the order" by which Moore, the Sheriff of Harris County and a candidate for re-election, had just been imprisoned for malfeasance. Issued January 30, 1841, and signed by John W. Moore.]

[Houston. 1841.]

[Broadside?]

No copy located, but the handbill is mentioned in C. W. Buckley's reply, published in the *Morning Star* (Houston), February 1, 1841. Almost the entire issue is taken up with the controversy. Buckley refutes the charges made against him, and there is editorial comment excoriating Moore. The sketch of Moore in the *Handbook of Texas* says he served as sheriff from January, 1837, to at least November 30, 1840. He was apparently defeated in the 1841 election for sheriff by Magnus T. Rogers (*see* under Rogers, No. 452 here).

448. NETHERLANDS. TREATIES, ETC.

[Treaty between the Netherlands and Texas.]

[Austin: Printed at the Texas Sentinel Office. 1841.]

No copy located, but mentioned as follows in Whiting's *Austin City Gazette*, February 3, 1841: "Curious Facts. - Within one hour after the ratification by the Senate of the Treaty between the Netherlands and Texas, printed copies of the same were issued from the Sentinel office. Query? As the whole of the proceedings were had in secret session, and as, furthermore, the treaty was not returned to the President with the ratification of the Senate until after the publication, from what source did the Sentinel obtain its copy?"

449. PILSBURY, TIMOTHY, 1780-1858.

To the Electors of the Senatorial District County of Brazoria. [Address of Pilsbury, a candidate for a seat in the Senate, reviewing his record as a representative. Text begins:] Fellow Citizens: Called upon by a portion of the electors to be a candidate for the office of a Senator . . . [Signed and dated at end:] T. Pilsbury. August 24th, 1840 [*i.e.* 1841].

[n.p. 1841.]

Broadsheet, three columns on recto, one short column on verso. 31.3 x 18.5 cm.

In this address Pilsbury, a candidate for election to the Senate of the Sixth Congress, defends his action as a member of the House of Representatives of the Fifth Congress, which sat from November, 1840, to February, 1841, in voting against the law to exempt slave property from seizure upon execution, and against the Franco Texan bill. He won the election to the Senate over Anson Jones.

LOCATIONS: TxHSJM.

450. PORTLAND, *Texas*.

Capital Stock Two Thousand Acres of Land & City Lots. City of Portland Matagorda C^o. Republic of Texas. This Certificate for _____ Dollars will be received at par in payment for Lots . . . City of Portland _____ 1841

[Blanks for signatures of "Sec" and "Agnt"]

[Along left of certificate:] J. Lowe, Galveston Texas. [1841.]

Broadside. 8.8 x 18.2 cm. Symbolical illustrations.

At head: \$ — N^o. —

This certificate, which is engraved and not printed, is the earliest example known to me of engraving done in Texas. I know of no other for the period of the bibliography.

The blank for the date on my certificate is filled out, "29 April." E. E. Este signs the certificate as Secretary, and Nicholas Clopper as Agent. This certificate represents an interesting scheme promoted by Nicholas Clopper of Cincinnati, his son Joseph C. Clopper, and the latter's wife's brother, Edward Este, for establishing a new town on

the Colorado River at the head of the raft. The plan was to connect the new town by a railroad with tidewater on Wilson's Creek, about three miles to the south, "and thence by steam-boats or other craft to Port Austin and Palacios." These two towns were on Matagorda Bay, south of the mouth of the Colorado.

Nicholas Clopper acquired lands in Texas in the 1820's, and in 1827 took his three sons to Texas on a visit. The *Journal* of one of the sons, Joseph Chambers Clopper, kept on that visit is given in Vol. XIII, *Quarterly*, Texas State Historical Association, p. 44-80, July, 1909, and "The Clopper Correspondence, 1834-1838," in Vol. XIII, p. 128-144, October, 1909. Another sister of Edward Este was Mrs. David G. Burnet. There is a short sketch of Este in the *Writings of Sam Houston*, Vol. I, p. 394. In 1950 Edward Nicholas Clopper, one of the descendants of the Cloppers referred to above, published at Cincinnati a most interesting account of the Cloppers who visited Texas and of other members of his family in *An American Family, Its Ups and Downs through Eight Generations in New Amsterdam . . . and Texas from 1650 to 1880*.

In Part III, I have an entry under the year 1841, *Constitution of Portland City Company, Matagorda County, Republic of Texas*, [n.p., but probably Cincinnati, 1841], signed on p. 9, Nicholas Clopper, Agent. This tells of the ownership by Nicholas Clopper and his son Joseph of the upper half of the league of land on the west side of the Colorado, "near the head of the raft," and gives other information about the project. This *Constitution* and the scrip with the date 1841 were almost certainly printed in 1841 for Nicholas Clopper died on December 2, 1841. I learned in February, 1953, from Mr. Andrew F. Muir of Cameron, Texas, an authority on Texas history, that he had one of these certificates and also a copy of the *Constitution*.

The "City of Portland" is not shown on the map in the 1845 edition of the Hunt & Randell *Guide to Texas* and as I have not been able to learn anything more of its history the chances are that the project was not carried out.

LOCATIONS: TWS.

451. RED-LANDER, *San Augustine*.

[Handbill issued by A. W. Canfield, editor of the *Red-Lander*, in support of Houston as a candidate for the Presidency.]

[San Augustine: Printed at the Red-Lander Office. 1841.]

[Broadside?]

No copy located, but handbills issued by Canfield and "in another quarter" are referred to in the *Telegraph and Texas Register*, August 18, 1841, as follows:

Hand-bills.—The Editor of the *Redlander*, a few weeks since, seemed to consider the success of Sam Houston so certain, that it was hardly necessary to make an effort to secure his election. But such has been the revulsion of public feeling, even in the Eastern counties, that he is now not satisfied with the electioneering he can do with his paper; and is even reduced to the necessity of issuing hand-bills to prejudice the claims of Judge Burnet. One of these handbills was recently forwarded to us, by a gentleman in Nacogdoches, and we were surprised to find it contained an article renewing the unwarranted slander, that the Santa Fé expedition was fitted out to aid in the election of Burnet. . . . In addition to the handbill issued by the Editor of the *Redlander*, we have received another, issued in another quarter, but the falsehoods it contains are so glaring and palpable, that they can hardly deceive even the most credulous.

452. ROGERS, MAGNUS T., *subject*.

[Handbill signed, "The Friends of Rogers."]

[Houston. 1841.]

[Broadside?]

No copy located, but the handbill is mentioned in the *Morning Star* (Houston), February 27, 1841, as having "appeared in town yesterday."

Rogers was then running for election as sheriff of Harris County, though in September, 1838, he had escaped from a jail in Mississippi where he was being held on a charge of murder and a thousand dollar reward for his capture had been published in the *Morning Star* of February 23, 1841. This handbill of his friends must have been effective for the *Morning Star* of March 4 announces his election by a majority of nineteen.

A SHORT REVIEW of the Finances of Texas . . . 1841. See [Edmunds, P.], No. 441 here.

453. TEXAS (*republic*). BOARD OF TRAVELLING COMMISSIONERS FOR THE DETECTION OF FRAUDULENT LAND CERTIFICATES.

Abstract of Land Certificates, Reported as Genuine and Legal, by the Travelling Commissioners Appointed under the "Act to Detect Fraudulent Land Certificates"; passed January, 1840.

Austin: Cruger & Wing, Printers. 1841 [On verso of title:]
By order of the Commissioner of the General Land Office.

356 p. (p. 336 misnumbered 334). 29.5 cm. Plain white
wrappers.

This is a Texas "Domesday" book with lists of over 20,000 Texas landowners, arranged alphabetically by counties, with the lists for each county subdivided again into holdings of first, second, and third class. Against each name are columns, for number of certificate, for land holdings, whether in leagues, labors, or acres, with a column for date, and a place for remarks. It is an invaluable source for data on individuals and it shows quite conclusively the extent to which land in the thirty counties listed had been taken up. Harris County leads with thirty-six pages of names under the various subdivisions, followed by Red River County with twenty-seven pages. Two pages required for Refugio County show its slight settlement at that time.

The printer's bill was for 200 copies (Ms., Archives, Texas State Library).

Sabin 95045.

LOCATIONS: CtY. NN. Tx. Tx-LO. TxH (lacks p. 331-356).
TxU. TWS.

454. TEXAS (*republic*). CONGRESS (*Fifth*). COMMITTEES . . .
ON THE ANTICIPATED INVASION BY MEXICO.

Report of the Select Committee of the House, and the Joint Committee of Both Houses, to whom were referred the several messages of His Excellency the President, on the anticipated invasion by Mexico; with Accompanying Documents. By order of Congress.

Austin: Printed at the Gazette Office. 1841.

19 p. 19.2 cm.

This report gives messages of David G. Burnet as acting president, dated December 19 and December 30, 1840, and the report of the joint committee, dated January 12, 1841, and signed: Jas. S. Mayfield, Chairman of Select Committee. W. Henry Daingerfield, Chair'n Joint Com. on part of Senate. W. N. Porter, Chair'n Joint Com. on part of

House. The two messages are printed in the *House Journals . . . Fifth Congress*, p. 315 and p. 387-390. The report of the committee is printed on p. 473-480 of the same *Journals*. The pamphlet report also includes letters of J. N. Seguin and James Campbell to the President, dated respectively December 26 and December 28, 1840, and the text of the joint resolution authorizing the President "to call into service the necessary forces to repel the contemplated invasion." These two letters and the full text of the joint resolution are not printed in the *Journals*.

On January 12, 1841, the House voted in two separate resolutions that 250 copies of the President's Message and accompanying document and also the report of the committee and the text of the resolution be printed. On January 15 the Senate voted that 200 copies of the Message and accompanying documents be printed.

The *Austin City Gazette* for January 20, 1841, advertises for sale in pamphlet form copies of the report, "printed at this office." For a slightly earlier message of Burnet's on the Mexican invasion see No. 421 here.

LOCATIONS: TxWFM.

455. TEXAS (*republic*). CONGRESS (*Fifth*). HOUSE.

Journals of the House of Representatives of the Republic of Texas: Fifth Congress ——— First Session. 1840-1841. Austin: Cruger and Wing, Public Printers. 1841. [On verso of title:] By order of the House of Representatives: under the superintendence of the Chief Clerk.

723 p., verso blank, leaf of errata, verso blank. 19.3 cm.

The House assembled on November 2, 1840, and adjourned *sine die* February 5, 1841. There was no other session of this Congress. Cruger had been elected public printer by the Fifth Congress on December 23, 1840. At about that time the firm of Cruger & Wing was formed and acquired sole ownership of the *Texas Sentinel*. The printer's bill was for 500 copies (Ms., Archives, Texas State Library).

Sabin 94965, note.

LOCATIONS: CU-B. CtY. DLC (lacks title page). M. NN. Tx. TxU. TxWFM. TWS.

456. TEXAS (*republic*). CONGRESS (*Fifth*). HOUSE.

Appendix to the Journals of the House of Representatives:
Fifth Congress.

Printed at the Gazette Office. [Austin. 1841.]

448 p., 3 tables (2 folding). 19.7 cm.

From p. [3]-261 are the annual reports to President Lamar made around the beginning of October, 1840, by the Secretaries of State, Treasury, War, and Navy, the Attorney General, the Post-Master General, and the Commissioner of the General Land Office. From p. 262 to the end are many reports of committees.

This is one of the indispensable books relating to this period of the Republic of Texas for there is no other printing, except perhaps in some cases in contemporary newspapers, of a great many of the reports of the various House Committees of the Fifth Congress. This applies also to the reports made to President Lamar in October, 1840, by the Secretary of the Treasury, the Attorney General and the Post-Master General. The House *Journal* for November 6, 1840 (p. 37), records a vote that the reports accompanying the President's *Message* be referred to the appropriate committees with instructions to prepare abstracts of them for the press. It appears from the House *Journal* for November 9, 1840 (p. 41), that the Committee on Post Offices and Post Roads declined to sanction the publication of the report of the Post-Master General, and on the same day the Committee on the Judiciary reported that it was unnecessary to publish any portion of the Attorney General's report, both actions being taken on the ground of economy. Then there is a report of the Committee on Finance, made January 20, 1841, and given on p. 405 of the *Appendix* saying that the reports of the various bureaus of the Treasury Department are "too voluminous for publication."

In the case of the annual reports made at this time by the Secretary of War and the Commissioner of the General Land Office, only the copies at the Grand Lodge at Waco are known, and only the Grand Lodge and the Texas State Library copies of the report of the Secretary of Navy have thus far been located. Even the report of the Secretary of State is uncommon, with only three copies located. It might be noted here that though the House *Journal* of the Fifth Congress is one of the two Cruger & Wing imprints entered under the year 1841, this *Appendix* with its imprint, "Printed at the Gazette Office" is one of the many Samuel Whiting imprints of that year.

The printer's bill was for 500 copies (Ms., Archives, Texas State Library).

Sabin 94965, *note*.

LOCATIONS: DLC. PHi. Tx. TxAuDR. TxU. TxWFM. TWS.

457. TEXAS (*republic*). CONGRESS (*Fifth*). HOUSE. COMMITTEE ON FINANCE.

Report on Finance -- by Col. Menard.

[Austin: Printed at the Austin City Gazette Office. 1841.]

8 p. 18 cm.

Caption title.

This report is reprinted in *Appendix . . . Journals . . . House . . . Fifth Congress*, p. 435-443. It is dated, Committee Room, January 12th, 1841, and signed at the end, M. B. Menard, one of the Committee on Finance, with a concurrence signed by four other members of the Committee and dated at the end, House of Representatives, Jan. 21, 1841. This presents one more plan for funding the national debt which is said to amount to about \$7,000,000.

Menard (1805-1856) was a signer of the Texas Declaration of Independence and one of the Organizers of the Galveston City Company. In this Fifth Congress he represented Galveston.

LOCATIONS: TxWFM.

458. TEXAS (*republic*). CONGRESS (*Fifth*). SENATE.

Journals of the Senate of the Republic of Texas. Fifth Congress — First Session. By order of the Secretary of State.

Houston: Printed at the Telegraph Office. 1841. [On verso of title:] Telegraph Power Press — Houston.

198 p., leaf of errata, verso blank. 20.3 cm.

The Senate assembled on Monday, November 2, 1840, and adjourned *sine die* on February 5, 1841. There was no other session of this Congress.

Sabin 94970, *note*.

LOCATIONS: TxU. TxWFM (lacks leaf of errata, date cut from title). TWS.

459. TEXAS (*republic*). CONGRESS (*Sixth, regular session*). Names, Age, County Represented, Occupation, Place of Nativity, Last Residence before, and Time of Immigration of the Members of the Sixth Congress, Convened at the City of Austin, on the First Day of November, One Thousand Eight Hundred and Forty-One. [Lists of 15 members of Senate and 40 of House of Representatives.]

[Austin: Printed at the Texas Sentinel Office. 1841.]

Broadside. 40.5 x 32.9 cm.

The broadside also lists the number of "sessions served," present address, and "No. of miles to the seat of government."

LOCATIONS: TxU. Another copy privately owned.

460. TEXAS (*republic*). CONGRESS (*Sixth, regular session*). HOUSE.

[Standing Rules for Conducting the Business of the House of Representatives.]

[Austin: Printed at the Austin City Gazette Office. 1841.]

The reconstructed *Journals of the Sixth Congress*, Vol. II, p. 5, records that on November 2, 1841, the second day of the meeting of the House, it was voted to adopt the rules of the previous session, the Fifth, except for the third rule, which was struck out, and on November 3 forty copies of these *Rules* were ordered printed (*Journals*, p. 9). A note on p. 5 of the reconstructed House Journal says that the *Standing Rules . . . House*, adopted by the Third Congress, No. 262 here, were used by the House in the Fourth and Fifth Congresses. The third rule, which was struck out by the Sixth Congress, had provided that the Speaker "shall rise to put a question, but may state it sitting."

For general note on these *Standing Rules*, see after entry No. 262 here for *Standing Rules . . . House*, Houston, 1838.

No copy located, but 40 copies of the rules were ordered printed by the House, Nov. 3, 1841, and charged for by Samuel Whiting under the same date (Ms. bill, Archives, Texas State Library).

461. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. COMMITTEE ON FINANCE.

Report of the Finance Committee.

[Austin: Printed at the Austin City Gazette Office. 1841.]

7 p. 19.5 cm.

Caption title.

This report addressed, To the Hon. K. L. Anderson, Speaker of the House of Representatives, dated at the beginning, Committee Room, Dec. 15, 1841, and signed, Tod Robinson, Chairman, criticizes the use of Texas promissory notes said to be at a discount of from seventy-five to eighty-seven per cent and recommends making gold and silver alone receivable in payment of public dues.

It appears from the reconstructed *Journals of the Sixth Congress*, Vol. II, that on December 20, 1841, 250 copies of the report were ordered printed (House Journal, p. 196), and the report is reprinted in the *Journals*, p. 169-174.

LOCATIONS: TxH. TxWFM.

462. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. COMMITTEE ON FINANCE.

Report of the Finance Committee, on Resolutions relative to Recal [*sic*] of Loan Commissioners. By order of the House of Representatives.

Austin: S. Whiting, Public Printer — Congress Avenue.
1841.

8 p. 20.4 cm.

This report, dated at the beginning, Committee-Room, Dec. 2, 1841, and signed at the end, Tod Robinson, Chairman, and by six other members of the Finance Committee, recommends that all laws authorizing a loan of five millions be repealed and that the powers of the Loan Commissioners be revoked.

It appears from the reconstructed *Journals of the Sixth Congress*, Vol. II, that on December 3 it was voted that 250 copies of the report be printed (House Journal, p. 82), and the report is reprinted in the

Journals, p. 82-87. The report was also printed in the *Austin City Gazette* for December 22, 1841.

LOCATIONS: TxH. TWS.

463. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. COMMITTEE ON RETRENCHMENT.

Report of the Retrenchment Committee.

[At end:] Printed by order of the House of Representatives,
G. H. Harrison, Printer. [Austin. 1841.]

4 p. 20.4 cm.

Caption title.

This report is dated at the beginning, Committee Room, Nov. 22, 1841, and signed at the end, Wm. E. Jones, Ch'm., and by five others. One statement reads, "We now exhibit to the world . . . the spectacle of a *bankrupt Government, and an impoverished people* [*italics in the original*]!" One of the recommendations is "that every office not absolutely necessary to carry on the business of the Government be abolished." Some of the drastic provisions of the resolution recommended by the committee are given in detail on p. 59 of Vol. II of the reconstructed *Journals of the Sixth Congress*, together with an order to print 250 copies of the report. The report follows on p. 59-62.

In the "Sketch of Printing" here there is a short account of Harrison in the section devoted to the year 1841.

LOCATIONS: TxH. DeGolyer. TWS.

464. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. SELECT COMMITTEE ON THE RECALL OF THE
NAVY.

Report [of Majority] of Select Naval Committee. November 19, 1841.

Texian Office, Austin. [1841.] [On verso of title:] G. H. Harrison, Printer. [On verso of p. 7:] Printed by order of the House of Repr'ves.

7, [1] p. 20.2 cm.

This report, dated at the beginning, Committee Room, Nov. 19th,

1841, and signed at the end, N. H. Darnell, Ch'm., and by five other members of the committee, severely arraigns President Lamar for not carrying out the provisions of the act approved January 18, 1841, directing the Texas Navy "to be laid up in ordinary," and for entering into an arrangement with Colonel Perozza (i.e. Peraza) of Yucatan for the Texas navy to coöperate with the Yucatan navy in operations against Mexico.

Two hundred and fifty copies were received by the House on November 28, 1841 (Ms. receipt, Archives, Texas State Library).

This report is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 45-49, from the text of the report as given in the *Weekly Texian* of December 1, 1841. The editor knew of the pamphlet giving this report, of which I perhaps have the only surviving copy, but had not seen it. For the minority report see the next entry.

LOCATIONS: TWS.

465. TEXAS (*republic*). CONGRESS (*Sixth, regular session*). HOUSE. SELECT COMMITTEE ON THE RECALL OF THE NAVY.

Report of the Minority of the Select Naval Committee. November 22, 1841.

Texian Office, Austin. [1841.] [On verso of title:] G. H. Harrison, Printer. [On verso of p. 7:] Printed by order of the House of Representatives.

7, [1] p. 21.5 cm.

This report, undated at the beginning in the pamphlet publication and signed at the end, Louis P. Cooke, J. S. Mayfield, defends the action of President Lamar in entering into an arrangement about the Texas Navy with Martin F. Perozza (i.e. Peraza), described in the report as "an accredited agent on the part of the government *de facto* of the State of Yucatan." The majority report, see previous entry, had claimed that no treaty could be made with Yucatan as it had no attributes of sovereignty.

The reconstructed *Journals of the Sixth Congress*, Vol. II, p. 54, says that 250 copies of this minority report were ordered printed, and the text, dated November 22, 1841, is reprinted on p. 55-59 of that Journal.

LOCATIONS: TxH. TxU. TWS.

466. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. SELECT COMMITTEE ON . . . THE SANTA FE EX-
PEDITION.

Report of Select Committee on Resolutions relative to the Santa Fe Expedition. By order of the House of Representatives.

Austin: S. Whiting, Public Printer — Congress Avenue.
1841.

14 p., blank leaf. 22 cm.

This report, dated at the beginning, Committee-Room, December 6, 1841, and signed, I. Van Zandt, Chairman, and by three other members of the committee, after paying tribute to "the high chivalrous and lofty bearing of the President in former days," and otherwise praising him, reviews his actions in connection with the Santa Fe expedition, and after pointing out that the terms of those responsible for the expedition are about to expire, recommends that as a matter of principle impeachment proceedings should be brought against President Lamar, Vice President Burnet for his actions while acting as President, and John G. Chalmers, Secretary of the Treasury.

The report is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 99-109, and on p. 110 of the same *Journals* it appears that 250 copies were ordered printed. Though it was resolved that the resolutions for impeachment be made the order of the day for the coming Thursday, December 9, I find no further reference to the Santa Fe Expedition in the House Journal for the few days to December 13, when Houston succeeded Lamar as President.

For a reply by Burnet to the Committee's charge here that he violated "every obligation which is held sacred by man," see his *Reply to the Report of the Committee on the Santa Fe Expedition*, No. 506 here.

LOCATIONS: TxU. TxWFM.

TEXAS (*republic*). CONSTITUTION.

Constitucion, Leyes Jenerales . . . Traducidas . . . por S. P. Andrews . . . 1841. See Texas (*republic*). Laws, No. 477 here.

467. TEXAS (*republic*). CUSTOM HOUSE, Galveston.

Pilotage Regulations. Custom-House, Galveston, September 18, 1841. [Text begins:] By an Act of Congress, passed the 23d, of May, 1838, it is made the duty "of the several collectors of the ports . . . to appoint and control pilots for their respective ports" . . . [Signed at end:] Alden A. M. Jackson. Collector.

[Galveston: Printed at the Civilian Office? 1841.]

Broadside. 25 x 20 cm.

These regulations give the rates of pilotage and specify cases in which only half pilotage or no pilotage need be paid.

In Ikin's *Texas*, London, 1841, p. 90, there is a reference to an earlier notice published by Jackson: "Galveston Bar, according to the Notice to Mariners, published by A. A. M. Jackson, Esq., collector of the port, in the month of May last, is in north latitude 29° 15', west longitude 94° 49'," but no copy of this notice has been located. It may not have been published separately, but only in a newspaper.

LOCATIONS: TxU.

468. TEXAS (*republic*). DECLARATION OF INDEPENDENCE.

[Declaration of Independence.]

[Austin: Printed at the Austin City Gazette Office. 1841.]

[12 p. Text in English and Spanish.]

No copy located, but Samuel Whiting's bill of June 16, 1841 (Ms., Archives, Texas State Library), includes a charge for printing 500 copies. The same bill includes charges for printing 500 copies of No. 480, 500 copies of No. 483, and "100 copies of Address to be posted up," and a charge for "composition of 3 pages of 'Declaration of the People of Texas in Convention' not printed but set up ready for printing." Probably all of these were prepared for the use of the Santa Fé Expedition. No copy of the "Address to be posted up" has been located. The "Declaration of the People of Texas in Convention," which was not printed, was probably a resetting of the text of No. 88 here. In an earlier bill, of May, 1841, Whiting charged for

printing "50 Bills 'Santa Fé Expedition,'" and 100 Muster Rolls 'Santa Fé Pioneers.'" No copies of these have been located. The "50 bills" may have been a separate publication of William G. Cooke's call for volunteers published in the *Austin City Gazette* of April 28, 1841.

469. TEXAS (*republic*). DEPARTMENT OF STATE.

Communications from the State Department, relative to Mission to Mexico. Copies of the Correspondence between Judge Webb, Agent to Mexico, and Mr. Packenham, Minister of England at Mexico, and the Minister of Foreign Affairs of Mexico.

[At end:] S. Whiting, Printer, Austin. [1841.]

12 p. 19.2 cm.

Caption title.

This pamphlet is the only contemporary separate printing of the Document B which was submitted to Congress with the *Report of Secretary of State*, dated October 12, 1841, No. 473 here, but not printed with it. The first letter of Document B, dated at the beginning, Galveston, June 29, 1841, and signed by James Webb, hands the Secretary of State the correspondence described in the title, which Webb had as the envoy of Texas in May and June, 1841, and tells of his activities in Mexico.

The reconstructed *Journals of the Sixth Congress*, Vol. II, p. 54, record that 250 copies of the *Correspondence* were ordered printed November 22, 1841, and this Document B is reprinted from the pamphlet in Vol. III of these *Journals*, p. 241-250.

Sabin 95039.

LOCATIONS: TxWFM.

470. TEXAS (*republic*). DEPARTMENT OF STATE.

Correspondence between the Secretary of State, and Col. Peraza, Special Commissioner from the State of Yucatan.

G. H. Harrison, Printer. [Austin. 1841.] [On verso of title:] Printed by order of the House of Representatives.

12 p. 20.8 cm.

This pamphlet is the only contemporary separate printing of Document D which was submitted with the *Report of the Secretary of State*, dated October 12, 1841, No. 473 here, but not printed with it. It contains the diplomatic correspondence in the negotiations which led to the sending of vessels of the navy of Texas to aid the province of Yucatan in its revolt against the Mexican government.

The first letter, which is signed Martin F. Peraza and dated Austin, 11th September, 1841, refers to a letter of President Lamar's dated July 20, addressed to the Governor of Yucatan. This Lamar letter is No. 482 here. All the correspondence except a letter from the Deputy Governor of Yucatan to Lamar, dated Merida, August 24th, 1841, and accrediting Peraza as having full power from Yucatan, is dated in September, 1841. It includes a letter of the Secretary of State to Peraza dated September 27, 1841, in which it is said that President Lamar will send "three or more armed vessels of the Texian navy, with orders to cooperate with the Sea and Land forces of the State of Yucatan" against the Central Government of Mexico.

The reconstructed *Journals of the Sixth Congress*, Vol. II, p. 54, report that 250 copies of this correspondence were ordered printed November 22, 1841, and this Document D is reprinted in Vol. III of these *Journals*, p. 264-272.

Sabin 95040.

LOCATIONS: TxH. TxWFM. DeGolyer.

471. TEXAS (*republic*). DEPARTMENT OF STATE.

Correspondence relative to Difficulties with M. de Saligny, Chargé d'Affaires of France. By order of the House of Representatives.

Austin: S. Whiting, Public Printer—Congress Avenue.
1841.

64 p. 23 cm.

This pamphlet includes an account of the famous "Pig War" between Saligny and the Austin inn-keeper, Richard Bullock, and is the only contemporary separate printing of the Document A which was submitted to Congress with the *Report of the Secretary of State*, dated October 12, 1841, No. 473 here, but not printed with it. The correspondence begins with Saligny's letter to the Secretary of State dated, Legation of France in Texas, Austin, February 19, 1841, complaining

of the assault by Mr. Bullock upon one of the envoy's servants. The last letter dated Austin, Dec. 11, 1841, by the local Texas District Attorney, related to an adjournment of the case against Bullock. The pamphlet also gives correspondence exchanged in Paris in the summer of 1841 between General James Hamilton, the Texas envoy, and Guizot, Secretary of State of France. The relation of this affair to Saligny's scheme for a concession to the Franco-Texiennne Company is told in an able article by Bernice Denton in the *Southwestern Historical Quarterly* for October, 1941, Vol. XLV, p. [136]-146, "Count Saligny and the Franco-Texienne Bill."

It appears from the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 139, that after some debate 250 copies of this correspondence were ordered printed by the House on December 14, 1841, and the pamphlet is reprinted in Vol. III of these *Journals*, p. 189-241. Much of the correspondence is also reprinted in Garrison's *Diplomatic Correspondence of the Republic of Texas*, Part III, p. 1289-1351.

Sabin 95041.

LOCATIONS: NHi. TxU. TWS.

472. TEXAS (*republic*). DEPARTMENT OF STATE.

Letters of Secretary of State to Commissioners to Santa Fe.

G. H. Harrison, Printer. [Austin. 1841.] [On verso of title:] Printed by order of the House of Representatives.

15 p. 20.4 cm.

This important pamphlet contains three letters. The first, dated Department of State, Austin, April 14, 1840, is addressed "To Capt. Wm. G. Dryden, John Rowland and William Workman, Esqs., Commissioners," and signed Abner S. Lipscomb, Secretary of State. All three of these gentlemen were residents of Santa Fe and one of them, Captain Dryden, had been presented to Lamar at Austin only a short time before. Dryden undoubtedly took back with him copies of this letter to Santa Fe. In this letter, the Secretary tells of President Lamar's wish that these gentlemen, who are addressed as Commissioners, explain to the people of New Mexico the peaceful objects of the expedition he shortly intended to send to Santa Fe. However, for various reasons, more than a year passed before the expedition was sent.

The second letter, dated Austin, June 15, 1841, is addressed "To William G. Cooke, Antonio Navarro, Richard F. Brennan and William G. Dryden, Commissioners, etc.," and is signed Sam'l A. Roberts, Acting Secretary of State. It encloses commissions to these gentlemen, appointing them "Commissioners on the part of the Government, to accompany the military expedition about to depart for Santa Fé, and of which you will have the chief direction," and gives them detailed instructions as to their procedure. The letter says that "Thomas Falconer, Esq., will accompany the expedition as Historiographer" and that his position will be that of an invited guest.

The third letter is dated and signed as the second letter and addressed "To Col. William G. Cooke, Resident Commissioner, etc." This letter says that after the Commissioners who are joined with him have left Santa Fe, it is desirable that someone remain there, clothed with full authority, and stating that a separate commission has been made out appointing Cooke "Resident Commissioner."

These three letters outline the whole aims and policy of the famous Santa Fe Expedition. There is an excellent modern account of this expedition and its background in "The Santa Fe Expedition," part of a life of Lamar by A. K. Christian, given in the *Southwestern Historical Quarterly* for October, 1920, Vol. XXIV, p. [87]-116. Mr. William C. Binkley has an able account of the reaction of the people of New Mexico to the expedition in an article, "New Mexico and the Texan Santa Fé Expedition," in the *Southwestern Historical Quarterly* for October, 1923, Vol. XXVII, p. [85]-107.

On December 28, 1841, the Chief Clerk of the House acknowledged receipt of 300 copies (Ms. receipt, Archives, Texas State Library). This pamphlet is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 287-297.

Sabin 95042.

LOCATIONS: TxWFM. TWS.

473. TEXAS (*republic*). DEPARTMENT OF STATE.

Report of Secretary of State.

G. H. Harrison, Printer. [Austin. 1841.] [On verso of title:] Printed by order of the House of Representatives.

12 p. 19.2 cm.

This report is addressed to President Lamar, dated at the beginning, Department of State Austin, 12th October 1841, and is signed Saml A Roberts, with no designation of title. The report, p. [3]-10, is followed by a supplemental report, p. 10-12, relating to printing the laws of the Fourth and Fifth Congresses in Spanish and dated Austin, October 27th, 1841. The *Report* refers in its text to various attached documents, none of which were printed with it, but Documents A, B, and D were ordered printed separately and are entered here as Nos. 471, 469, and 470.

On December 7, 1841, the Chief Clerk of the House acknowledged receipt of 250 copies (Ms. receipt, Archives, Texas State Library). The report is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. [179]-188, followed by Documents A-L, p. 189-287, with the exception of Document E, of which no printing or manuscript has been found.

LOCATIONS: TxWFM.

474. TEXAS (*republic*). GENERAL LAND OFFICE.

Annual Report of the Commissioner of the General Land Office of the Republic of Texas. By order of the House of Representatives.

Austin: Printed by S. Whiting — Congress Avenue. 1841.
11 p. 20.1 cm.

This important report is dated at the beginning, General Land Office, Republic of Texas, Austin, Oct. 7, 1841, and addressed to President Lamar. It is signed at the end, Thomas Wm. Ward, Commissioner General Land Office. Ward points out the many defects in the present laws and makes several recommendations for new legislation to help remedy the present lamentable state of confusion. He also asks Congress for instructions about issuing land titles in Refugio County, formerly Power and Hewetson's Colony, and in San Patricio County, formerly in the grant to McMullen and McGloin.

The report was ordered printed by the House on November 6, 1841. In the reprint in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. [441]-461, various exhibits, not in the pamphlet report, are added on p. 451-461.

Whiting's charge of November 10, 1841, was for 250 copies (Ms. bill, Archives, Texas State Library).

LOCATIONS: TWS.

475. TEXAS (*republic*). LAWS.

Alphabetical Index of the Laws of Texas: of Fourth and Fifth Congress.

[Austin: Printed at the Austin City Gazette Office. 1841.]

v p., printed in double columns, verso blank, blank leaf. 19.6 cm.

Caption title.

This index is a continuation of No. 338 here. In it the Laws of the Fourth Congress are referred to as Volume "i" and those of the Fifth Congress as "ii," the issue of the laws of the Fifth Congress indexed being the second.

Whiting's bill of August 27, 1841, was for 250 copies (Ms., Archives, Texas State Library).

Sabin 95000, *note*.

LOCATIONS: CSmH. NNB. TWS.

476. TEXAS (*republic*). LAWS.

[Captions of All the Laws, of a General Nature, Passed at the First Session of the Fifth Congress.]

[Austin: Printed at the Texas Sentinel Office. 1841.]

[16 p.]

No copy located, but on January 27, 1841, a resolution was passed by the House ordering the printing of 100 copies of these captions and on January 28 a resolution of the Senate ordered the printing of 200 copies. Cruger & Wing's charge for the copies printed for the Senate shows that this was a pamphlet in sixteen pages (Ms. bill, Archives, Texas State Library).

As stated in the note to the listing of the acts of the First Congress, No. 170 here, this list for the Fifth Congress is entered as it is apparently the only printed record of the private acts of that session.

477. TEXAS (*republic*). LAWS.

Constitucion, Leyes Jenerales, &c. de la Republica de Tejas. Traducidas al Castellano por S. P. Andrews, abogado de los tribunales de dicha República. Por disposicion del Secretario de Estado.

Houston: Imprenta del Telégrafo. 1841.

Preliminary blank leaf, 324 p.; index, vi p. 22 cm.

This compilation gives in Spanish the "Declaration of the People of Texas in General Convention Assembled," adopted on November 7, 1835, the ordinance "Plan and Powers of establishing the provisional government," adopted November 13, 1835, the Declaration of Independence, and the Constitution of the Republic of Texas, followed by many, but by no means all, of the acts of the various sessions of the first three Congresses. Joint resolutions, with two exceptions, are not given at all, and acts incorporating towns and private corporations, such as the Texas Railroad and Navigation Company, are not given, and there are even omissions of such important acts as the Act to Establish a General Land Office, passed over the President's veto on December 22, 1836.

As early as December 18, 1837, a joint resolution had been approved, authorizing the Secretary of State to contract for the translation and compilation in Spanish "of such general and penal enactments as have been made by the former and present Congress . . . and that in future all general enactments shall as soon as practicable be translated into Castilian . . . provided the expense shall not exceed \$300 annually." Apparently nothing had been done on this by February, 1840, for the *Austin City Gazette* of February 5, 1840, reports a speech by Seguin, the member of the Senate from Bexar (reported in the modern *Journals*, Fourth Congress, Vol. I, p. 103, *note*), complaining that his constituents have not "seen a single law translated and printed," and inquiring about an estimate for the year 1840 of doing this at an expense of \$15,000.

A "Communication from State Department" in *Appendix . . . Journals . . . House . . . Fifth Congress*, p. 28-35, gives the contract with Andrews for the translation, Cruger's proposition for the printing, and a letter from Cruger dated Austin, December 7, 1840, saying that because of delays by Andrews only about 200 pages had thus far been printed. Andrews was to get two dollars and a half in notes of New Orleans banks for each printed page and Cruger was to get one hundred and thirteen dollars in specie for 2,000 copies of each eight-page form. Lipscomb, the Secretary of State, expressed doubts about continuing the translation because of the expense.

This seems to be the last printing in Spanish of any of the laws of the Republic. On December 30, 1841, the Senate passed a resolution for the printing of the laws in Spanish (reconstructed *Journal*, Sixth Congress, Vol. I, Senate, p. 175), but on January 5, 1842, the Senate passed a joint resolution ordering the Secretary of State to suspend

the printing of the laws in the Spanish language (reconstructed Journal, Sixth Congress, Vol. I, Senate, p. 199).

Sabin 94976.

LOCATIONS: MH-L. TxSa. TxU. TWS.

478. TEXAS (*republic*). LAWS.

Index to Volume V.

[n.p. 1841?]

Four pages, numbered 38-41. 21 cm.

Caption title.

Issued in continuation of No. 415 here, *Alphabetical Index to the Laws of the Republic of Texas. Vols. I, II, III, & IV*, [n.p. 1840?], signatures A-I, pages [1]-35, verso blank, with the appropriate signature mark "K" at the foot of the first page here, but with the pages misnumbered 38-41 for 37-40.

This is an index of the laws of the Fifth Congress (No. 479A here).

Sabin 95002.

LOCATIONS: CU-B. CtY. DLC. MH-L. NN. Tx. TxU. TWS.
Also 13 others.

479. TEXAS (*republic*). LAWS.

Laws of the Republic of Texas, Passed at the Session of the Fifth Congress. Printed by order of the Secretary of State.

Houston: Telegraph Power Press. 1841.

184 p.; appendix (including two proclamations by Lamar), p. 185-194; attestation by Secretary of State, 1 leaf, verso blank; index, viii p. 20.1 cm.

This is the rare first issue of the laws passed by the Fifth Congress. The statement in the *Morning Star* (Houston) of March 6, 1841, that "the laws of the last session will be published within eight or ten days from this time, and will then be on sale at the Telegraph Office," probably refers to this issue.

One of the two proclamations by Lamar gives the text of the treaty with France signed at Paris, September 25, 1839. For the Gammel reprint of the laws see note to next entry, that for the second issue.

Sabin 95000, *note*.

LOCATIONS: MH-L (lacks index, trimmed). NN. TWS.

- 479A. — Another issue, with same title, imprint, and date, but including four additional acts on p. 185-189, and with the appendix of proclamations separately paged (p. 1 on verso of p. 189).

189 p.; appendix, 8 p.; errata [1] p.; attestation leaf, verso blank; index, viii p. 21.3 cm.

Through p. 184, this is printed from the same type as the first issue. The four additional acts on p. 185-189 were approved February 3-5, 1841.

Cruger & Moore charged for 2000 copies (Ms. bill, Archives, Texas State Library).

The laws in this issue are given in a page-for-page reprint, except for the omission of the imprint from the title page, in Gammel, Vol. II, p. [465]-672.

Raines, p. 230. Sabin 95000, *note*.

LOCATIONS: CU-B. CtY. DLC. MH-L. Tx. TxU. TWS. Also 26 others.

480. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Address of His Excellency Mirabeau B. Lamar, to the Citizens of Santa Fe.

Austin City Gazette Office. [1841.]

14 p., blank leaf. 21.3 cm.

This is the famous proclamation which the leaders of the Santa Fe Expedition carried to New Mexico. It is signed by Lamar, dated at the beginning, Executive Department, Austin City, June 5, 1841, and addressed, "To the Inhabitants of Santa Fé and of the other portions of New Mexico, to the East of the Rio Grande." It is followed on p. 12-14 by Lamar's letter of April 14, 1840, addressed, "To the Citizens of Santa Fe: Friends and Compatriots."

The April 14, 1840, letter is of the same date as the Texan Secretary of State's letter to Capt. Dryden and Messrs. Rowland and Workman of Santa Fe (No. 472 here), asking them to explain to the people of

New Mexico the peaceful objects of the expedition Lamar intended to send to Santa Fe. The June 5, 1841, letter, written in Lamar's customary grandiloquent style refers to the earlier April, 1840, letter and invites the citizens of Santa Fe to become citizens of Texas.

These two letters, translated into Spanish, are part of the pamphlet *Proclama de . . . Lamar, a los Ciudadanos de Santa Fe*, No. 483 here. The April 14, 1840, letter is No. 1773 in the *Lamar Papers*, Vol. III, p. 370-371, and the June 5, 1841, letter is No. 1972 in Vol. III, p. 488-495, with slight variations from the contemporary printed text.

For other references see the note to *Letters of Secretary of State to Commissioners to Santa Fe*, No. 472 here.

Whiting's charge of June 16, 1841, was for 500 copies (Ms. bill, Archives, Texas State Library).

Sabin 95025.

LOCATIONS: CtY. Tx. TxU. DeGolyer. TWS.

481. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

The Annual Message of Mirabeau B. Lamar, President of the Republic of Texas, communicated to both houses of Congress, Nov. 3d, 1841.

Austin: Printed by S. Whiting—Congress Avenue. 1841.

20 p. 21 cm.

In this interesting *Message* Lamar defends his sending the expedition to Santa Fe and his ordering the navy to coöperate with Yucatan. At this time the tragic outcome of the Santa Fe Expedition was not known in Texas. Among other policies for which Lamar takes credit is the encouragement of trade with the region bordering on the Rio Grande; and there are reports on the treaty with Great Britain.

The reconstructed *Journals of the Sixth Congress*, Vol. II, p. 9, records that 300 copies of the *Message* were ordered printed by the House, and the Senate Journal for November 3 records (Vol. I, p. 26) that 150 copies were ordered printed by the Senate. The *Message* is reprinted in this Senate Journal on p. 7-25, with various helpful notes by the editor, Miss Smither. Only a short extract from the *Message* is given in the *Lamar Papers*.

Sabin 95026.

LOCATIONS: TxH. TxU. TWS.

482. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Letter from the President of Texas, to the Governor of Yucatan.

[At end:] S. Whiting, Printer, Austin. [1841.]

3 p. 20 cm.

Caption title.

A copy of this letter of Lamar's, dated July 20, 1841, saying that the ports of Texas were open to the vessels and commerce of Yucatan and suggesting "more permanent and specific relations of amity," had been requested by the House in a resolution adopted December 4, 1841; and on the same day 100 copies were ordered printed, reconstructed *Journals of the Sixth Congress*, Vol. II, p. 90. The *Letter* is reprinted on p. 91 of the same Journal.

LOCATIONS: TxH.

483. TEXAS (*republic*). PRESIDENT, 1838-1841 (*Lamar*).

Proclama de Su Excellencia [*sic*] Mirabeau B. Lamar, a los Ciudadanos de Santa Fe.

Imprenta de la Gazeta de la Ciudad de Austin. [1841.]

14, [11]-47 p. 21.5 cm. Signatures: [A],⁴ B,⁶ C-F.⁴

Here Lamar's letters of April 14, 1840, and June 5, 1841, to the Citizens of Santa Fe, given in his *Address to the Citizens of Santa Fe*, No. 480 here, are given in a Spanish translation with the "Constitucion de la Republica de Tejas. Junio, 1841," following, in both Spanish and English, on p. [11]-45. The pamphlet ends with text in Spanish and English of "An Act concerning the Catholic Churches," approved January 13, 1841, on p. 46-47.

In No. 2033, Vol. V, p. 474, of the *Lamar Papers*, is a letter from Reuben M. Potter to Lamar, dated San Antonio, 29th May, 1841, enclosing a draft "of a proclamation to the people of Santa Fé which I have drawn up in Spanish and English according to Your request." It well may be that this draft written by Potter is for the letter of June 5, 1841, printed here.

The printer's charge of June 16, 1841, was for 500 copies (Ms. bill, Archives, Texas State Library).

Sabin 95027.

LOCATIONS: Tx. TxU. DeGolyer. TWS.

484. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

... Message of Gen. Sam Houston, President of the Republic of Texas. [Dated:] Executive Department, Austin, December 20th, 1841. [Text begins:] Gentlemen of the Senate, and of the House of Representatives: It affords me great pleasure to salute you as the representative of the nation. ... [Signed:] Sam Houston.

[Austin: Printed at the Texian Office. 1841.]

Broadside in three columns. 56 x 37.5 cm.

At head of first column and above title, cut of eagle on a monument inscribed: The Constitution and Laws of our Country.

This broadside edition of the great message Houston delivered to Congress shortly after the beginning of his second term as President was printed from the same setting of type as that used to print the message on p. [2] of the *Weekly Texian* (Austin), December 22, 1841 (original in the Library of Congress), except for the caption title which, in the newspaper, has no cut at the head and reads "Message of President Sam Houston." For reference to its contents, see note to entry which follows for its publication in pamphlet form.

LOCATIONS: Tx (printed on yellow silk).

485. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

Message of his Excellency the President, delivered to both houses of Congress December 20, 1841. By order of the House of Representatives.

Austin: S. Whiting, Public Printer—Congress Avenue. 1841.

11 p. 20.3 cm.

This is the pamphlet edition of Houston's message to Congress delivered shortly after he began his second term as President of Texas. The previous entry records its printing as a broadside. Houston's characterization of the situation he found when becoming president reads in part (p. 6), "There is not a dollar in [the] treasury; ... We are not only without money, but without credit; and, for want of punctuality, without character ... Patriotism, industry and enter-

prize are now our only resources, apart from our public domain and the precarious revenues of the country." Lamar's expenditures for protection against the Indians are criticized, with the claim that better results can be secured at a quarter of the expense. Reduction in direct taxes and requirement that import duties be receivable only in gold or its equivalent are recommended.

The reconstructed *Journals of the Sixth Congress*, Vol. II, p. 196, record that 800 copies of the Message were ordered printed by the House on December 20.

The Message is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. I, p. 133-141, and in the *Writings of Sam Houston*, Vol. II, p. 399-408. The importance of the Message is recognized by Yoakum who summarizes it in Vol. II, p. 336-339.

Sabin 95028.

LOCATIONS: TxWFM. TWS.

486. — Another edition, printed for the use of the Senate.

[Austin: Printed at the Texian Office. 1841.]

No copy located, but the reconstructed *Journals of the Sixth Congress*, Vol. I, p. 142, record that 500 copies were ordered printed by the Senate on December 21, and on December 22 the Secretary of the Senate acknowledged receipt of 500 copies printed by G. H. Harrison (Ms. receipt, Archives, Texas State Library). These may have been copies of No. 484, a broadside edition printed by Harrison, but it seems more likely that the Senate edition, like that printed for the use of the House, was in pamphlet form, and that the broadside was printed by Harrison on his own account for sale to the general public.

TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*). Message of the President and Accompanying Document. [Austin. 1842.] See under 1842, No. 543 here.

TEXAS (*republic*). TRAVELLING COMMISSIONERS APPOINTED UNDER THE "ACT TO DETECT FRAUDULENT LAND CERTIFICATES." See Texas (*republic*). Board of Travelling Commissioners for the Detection of Fraudulent Land Certificates, No. 453 here.

487. TEXAS (*republic*). TREASURY DEPARTMENT.

[Annual Report of the Secretary of the Treasury, November, 1841.]

[Austin: Printed at the Austin City Gazette Office. 1841.]

[14 p. of text, 6 p. of tables.]

No copy located, but on November 6, 1841, the House adopted a report of the Committee on Finance recommending the printing of this report, and on November 10 Samuel Whiting charged for printing 250 copies with pagination as given above (Ms. bill, Archives, Texas State Library). It covers the year to September 30, 1841, and is printed in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. [303]-317.

488. TEXAS (*republic*). TREASURY DEPARTMENT.

Report of the Appropriations and Expenditures of the Government since its Organization. By order of the House of Representatives.

Austin: S. Whiting, Public Printer—Congress Avenue. 1841.

7 p. 20.5 cm.

This report is dated at the beginning, City of Austin, Treasury Department, Nov. 14, 1841, and is signed John G. Chalmers, Sec. Treasury. It states that the appropriations of the first three Congresses totalled \$3,368,000 and a Comptroller's report dated November 10, 1841, gives the aggregate of Warrants drawn on the Treasury and Certificates issued from January 1, 1836, to September 30, 1841, as \$7,102,593.90.

It appears from the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 39, that on November 17, 1841, 250 copies of this report were ordered printed by the House, and the report is reprinted in this same Journal on p. 39-42. The final figures of appropriations and warrants, on p. 7 of the pamphlet and on p. 42 of the reprinting, are, in each case, incorrectly and also differently subtracted.

Sabin 95052.

LOCATIONS: Tx. TxH. TxU. TWS.

489. TEXAS (*republic*). TREASURY DEPARTMENT.

[Table of Quarterly Gross and Net Receipts of Customs and List of Officers.]

[Austin: Printed at the Austin City Gazette Office. 1841.]

No copy located, but Samuel Whiting's bill covering printing for the House of Representatives from December 17, 1841-January 1, 1842 (Ms., Archives, Texas State Library), has a charge under date of December 22 for printing 250 copies.

TEXAS (*republic*). TREATIES, ETC.

[Treaty between the Netherlands and Texas.] [Austin, 1841.]

See under Netherlands. Treaties, etc., No. 448 here.

490. TEXAS (*republic*). VICE-PRESIDENT, 1838-1841 (*Burnet*).

[Valedictory Address of the Hon. David G. Burnet.]

[Austin: Printed at the Texian Office. 1841.]

[8 p.]

The text of Burnet's address as delivered in the Senate on December 4, 1841, is given in the reconstructed *Journals of the Sixth Congress*, Vol. I, p. 92-97, and on the same day the Senate ordered 250 copies printed.

No copy located, but on December 10, 1841, the Secretary of the Senate acknowledged receipt of 250 copies from G. H. Harrison the printer, and described the pamphlet as in eight pages (Ms. receipt, Archives, Texas State Library).

491. TEXAS (*republic*). WAR DEPARTMENT.

Report of the Secretary of War. September, 1841.

Texian office—Austin. [1841.] [On verso of last leaf:]

Printed by order of the House of Repr'ves.

11, [1] p. 19.2 cm.

This report is dated at the beginning, War and Navy Department, City of Austin, Sept. 30, 1841, and signed on p. 11, B. T. Archer, Sec-

retary of War and Navy. Under an act approved January 18, 1841, the office of the Secretary of the Navy had been abolished and its duties assigned to the Secretary of War. This gloomy report includes the statement that the force for the protection of the frontier had had to be disbanded because of no appropriation for its support, and that the militia was in a disorganized condition. Archer also stated that the appropriations for the past year, because of the depreciation of the currency, were far short of the necessary expenditures. Archer, 1790-1856, is well known in Texas history. That he was Secretary of War under Lamar is not noted in the brief sketch of him in the *Handbook of Texas*.

On November 24, 1841, the Chief Clerk of the House acknowledged receipt of 250 copies (Ms. receipt, Archives, Texas State Library). This report is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. [355]-364. Following reprint of the report, various documents submitted with it are printed on p. 364-439.

Sabin 95061.

LOCATIONS: TxWFM.

492. TEXAS SENTINEL, *Austin*.

[Texas Sentinel Extra, Sunday morning, January 31st. (1841) Later from the West. . . . (News from the Texas Troops in Mexico.)]

[Austin: Printed at the Texas Sentinel Office. 1841.]

[Broadside?]

No copy located, but republished from this extra in the *Morning Star* (Houston), February 9, 1841.

493. TEXAS SENTINEL, *Austin*.

Texas Centinel - - - Extra. Austin, Thursday Evening, July 8, 1841. [At head of first column:] Important Situation of our North-Eastern Frontier. [Brief editorial note followed by official report dated, Bowie County, June 5th, 1841, signed by Wm. N. Porter, Acting Brig. Inspector, of General Edward H. Tarrant's "expedition which he has lately completed against the hostile Indians."]

[Austin: Printed at the Texas Centinel Office. 1841.]

Broadside in two columns. 41.5 x 21.5 cm.

For the use of "Sentinel" and "Centinel" see the account of the paper in the appendix on newspapers.

Porter's report tells of the small expedition commanded by General Tarrant which had left on May 14 to attack an Indian village in the vicinity of the headwaters of the Trinity, which seemed to be the headquarters for Indian raids on the settlements. Because of the small force, only an inconclusive engagement resulted. The preceding editorial comment gives high praise to Powhatan Archer, the minor son of the Secretary of War, for a scouting trip through the Indian country to get an Indian guide for a new expedition just ordered by the Secretary to attack the Indian encampment, "and if possible, break it up."

Porter's report is one of the then unprinted documents accompanying the *Report of the Secretary of War September, 1841*, No. 491 here. It is printed in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 416-419.

LOCATIONS: Tx.

494. TEXAS SENTINEL, *Austin*.

Texas Centinel - - - Extra. Austin, Thursday Morning, July 15, 1841. [At head of first column:] Important from the West — Recommencement of Mexican Hostilities upon Our Inhabitants. [Editorial comment on the abduction of Captain Philip Dimitt and others by the Mexicans under General Arista, followed by a report of the proceedings of a "Public Meeting at Victoria." protesting the abduction, signed and dated at end:] Thomas Newcomb. Chairman. I. T. O'Reilly, Secretary. Victoria, July 10, 1841.

[Austin: Printed at the Texas Centinel Office. 1841.]

Broadside in two columns. 29.5 x 21.5 cm.

Dimitt had come to Texas as early as 1822 and been prominent in the armed revolt against Mexico in the fall of 1835. In 1836 he had maintained a small military company at Dimitt's Landing on Lavaca Bay. This extra tells of his abduction by a small Mexican force a short time before and of his being taken as a captive to Matamoros.

As the *Centinel* was a supporter of Burnet for President in the coming 1841 election, the editorial castigates Houston and his friends for breaking up "our little army" and praises the policy Burnet advocated in 1836 for taking Matamoros. Some of Dimitt's fellow prisoners escaped at Saltillo and he is supposed to have committed suicide when told he would be shot if they did not return.

LOCATIONS: TxWFM. TWS.

495. TEXAS SENTINEL, *Austin*.

Texas Centinel. Supplement. Austin, Thursday, July 15 [1841]. Texian Loan. [Text begins:] We devote a large space, to-day, to the following documents in relation to the Loan . . . [Reprinted] From the Austin City Gazette. . . .

[Austin: Printed at the Texas Centinel Office. 1841.]

Broadsheet, both sides in two columns. 45 x 24 cm.

This gives a letter from General James Hamilton, Loan Commissioner, dated at the beginning, London, May 18, 1841, addressed to Hon. Mr. Chalmers, Secretary of the Treasury, stating that he had entered into a contract with Laffite & Co. for the Texan loan, but that after the prospectus was issued and he had left Paris for London, influential French newspapers had come out against the loan and Laffite & Co. had postponed opening the books. This is followed by the prospectus with the title, "Explanatory Notice on the Loan of Thirty-seven Millions of Francs, (Seven Millions of Dollars,) issued by the Government of Texas."

Hamilton (1786-1857) had had a distinguished career in South Carolina, first as Congressman at Washington, then as governor, and afterwards as president of the nullification convention of 1832. He became interested in the Texas struggle for independence and, according to the sketch in the *Dictionary of American Biography*, was offered in 1836 the chief command of the Texas army. Lamar made him commissioner to negotiate loans and in 1839 he went to Europe as a diplomatic agent of Texas. When Houston became president in 1841 he repudiated Hamilton's groundwork on foreign loans and had the law authorizing the loans repealed. Hamilton acted also as commissioner for Lamar to negotiate peace with Mexico. These negotiations ended abruptly early in 1842, as set forth in the note to *Letter of Gen. Houston to Santa Anna*, No. 542 here. By this time

Hamilton had personally advanced Texas a total of \$210,000 in gold. In the years which followed, inability to collect this from Texas caused him great financial embarrassment. He died in a marine disaster in an heroic attempt to save others. All in all he is one of the great characters in Texas history.

The letter and prospectus are reprinted in the *Lamar Papers*, Vol. III, No. 2068, p. 548-554.

LOCATIONS: Tx. TxWFM.

496. TEXAS SENTINEL, *Austin*.

Texas Centinel. Supplement. Austin, Monday Morning, August 16, 1841. [At head of first column:] Bill of Abominations, or the Bill Selling Texas to the French Nation—Called the "*Franco Texienne*" Bill. [Text begins:] We have several times stated that Gen. Houston was the father, or the leader, the foremost advocate of this most infamous and treasonable measure . . .

[Austin: Printed at the Texas Centinel Office. 1841.]

Broadside in two columns. 42.5 x 24.5 cm.

The supplement states that it was published because some of Houston's friends "have the stupid audacity to deny that he, Gen. Houston, supported" the Franco-Texienne bill. Several extracts from the Journal of the House for January, 1841, are given, showing Houston's support. The issue of the supplement was probably due to friends of Burnet, to aid in his campaign against Houston in the election for President of Texas to be held the following month. For an able discussion of the Franco-Texienne bill see an article by Beatrice Denton in the *Southwestern Historical Quarterly* for October, 1941, Vol. XLV, p. 136-146, "Count Alphonso de Saligny and the Franco-Texienne Bill."

LOCATIONS: Tx (trimmed at head).

497. TEXAS SENTINEL, *Austin*.

Texas Centinel --- Supplement. By Cruger & Wing. Austin, Thursday, Sept. 2, 1841. [At head of first column:] The Bill of Abominations!! A French Fleet Controlling Our Elections!!!

[Austin: Printed at the Texas Centinel Office. 1841.]

Broadside in two columns. 31 x 21.8 cm.

The presidential election being only a few days away, the *Centinel*, a Burnet supporter, makes in this editorial a bitter attack on Houston for his support of the Franco-Texienne bill. The editorial charges that if Houston is elected President, Saligny, "that disgraced and dirty wretch," will be received again as the French Minister and "we are sold bound hand and foot, to a foreign King; and our language and laws become extinct; we lose the nationality of English descendants, and become the menials of an unknown tongue."

LOCATIONS: TxWFM.

TRUTH. See [Houston, Samuel], Nos. 445 and 446 here.

498. WHEELOCK, ELEAZER LOUIS RIPLEY, 1793-1847.

To the Voters of the Senatorial District composed of the Counties of Milam and Robertson. [Text begins:] Fellow Citizens.—Liberty is guaranteed to you by the Constitution to exercise your suffrage on the first Monday of September next. . . . [Signed at end:] E. L. R. Wheelock.

[n.p. 1841.]

Broadside in three columns. 32.7 x 19.9 cm.

Here Wheelock asks, unsuccessfully as it turned out, for votes for his election to the Senate of the Sixth Congress. His platform includes sale of the Cherokee lands, establishment of a national bank, repeal of the law prohibiting forced sale of slaves on writs of execution, and various reforms.

Wheelock's settlement in Texas early in 1834 and his surveying activities in the Sterling C. Robertson Colony are set forth in his deposition dated December 10, 1840, printed as "Number 10" in *Evidence in Relation to Land Titles*, Austin [1840], No. 408 here, p. 15-21. The *Handbook of Texas*, which records, apparently incorrectly, that Wheelock settled in the Robertson Colony in 1833, says he laid out the town of Wheelock in that colony. In 1845 he was active in surveying and sectionizing land in the Mercer Colony. Wheelock was born in Hanover, New Hampshire, on March 31, 1793, the grandson of Eleazer Wheelock, the founder of Dartmouth College, and died there suddenly on May 14, 1847, while on a visit.

LOCATIONS: TxU.

499. WILLIAMS, SAMUEL MAY, 1795-1858.

Evidence of Samuel M. Williams, in Relation to Land Titles. By Order of House [of] Representatives. < 300 Copies. [>] [On verso of title:] Whiting's Print, Austin. [1841.]

4 p. 19.2 cm.

This is an undated statement, addressed, To the Hon. Robert Potter, Chairman of the Committee on Public Lands, and signed at the end, Sam'l M. Williams, made in response to a resolution passed by the House on January 6, 1841, calling on the Joint Committee on Public Lands to summon Williams before them and examine him on the eleven league grants and the history of the grants issued by the government of Coahuila and Texas. In this most interesting statement Williams refers to the 400 leagues granted to him and Messrs. Johnson and Peebles and states, "which lands, so far as respects myself, have not been claimed, nor have I ever seen the titles; and so far as regards any interest of my own, I renounce." For other testimony on these eleven league grants see *Evidence in Relation to Land Titles*, No. 408 here, giving evidence presented at hearings of the Joint Committee on Public Lands held in December, 1840.

This Williams statement was ordered printed by the House on January 7, 1841, *Journals . . . House . . . Fifth Congress*, p. 442, and the text is given in the *Appendix . . . Journals . . . House . . . Fifth Congress*, p. 369-371. Whiting's bill of January 12, 1841, was for 300 copies (Ms., Archives, Texas State Library).

LOCATIONS: TxU. TxWFM.

1842

500. AUSTIN. CITIZENS.

[Nullification on Our Own Hook.]

[Austin. 1842.]

No copy located, but a circular with this title was issued by a meeting of Austin residents who opposed the removal of the archives, according to Smithwick's *The Evolution of a State*, Austin [1900], at p. 279.

501. AUSTIN. COMMITTEE OF VIGILANCE.

To Arms! To Arms! Texians!! Arrangements entered into by the Citizens of Austin, with reference to the approach of

the Mexicans; and the latest information from the West of the Invading Army. [Dated at foot of second column:] < Gazette Office, Half-past 10 o'clock, Mond. morn. [March 7, 1842.]>

[Austin: Printed at the Austin City Gazette Office. 1842.]

Broadside in two columns. 31.1 x 19.4 cm.

This gives a report dated, "Sunday Evening, 5th [i.e., 6th] March, 1842." of the arrival of a Mexican force before San Antonio, which, under a white flag, had demanded the surrender of the town. Reply was promised at two o'clock in the afternoon, but as no reinforcements were in sight the town then surrendered, on Saturday, March 5. At the end of this report is an entry headed, "Monday Morning, 6 o'clock," saying, "An express has just arrived, with information that Goliad has fallen; but no particulars." There is also a proclamation by Asa Brigham, Mayor, appointing a Committee of Vigilance [*sic*], of which Major Samuel Whiting was chairman, and a report of a meeting of the Committee held on the evening of the sixth. One of the votes of this meeting was that all families in the city should "leave as soon as possible for a safer section of the country."

John Henry Brown, the historian, was, as a young soldier, with the small Texas force at San Antonio just before the town's surrender. He gives a vivid account of the events of around that time in his *History of Texas* (Vol. II, p. 211 and following), but erroneously states the date of the surrender as March 6. For later reports of the capture of San Antonio see the next entry and the note to the entry for the *Civilian and Galveston Gazette* extra of March 12, 1842, No. 508 here.

LOCATIONS: Tx-LO.

502. AUSTIN CITY GAZETTE.

Austin City Gazette --- Extra. [Publishes proclamation of Geo. W. Hockley, Secretary of War and Navy, dated Austin, 7th March, 1842, beginning:] The force of the enemy at Bexar and Goliad is ascertained: it should not create alarm or panic. . . . [Followed by:] Arrangements entered into by the Citizens of Austin, with reference to the approach of the Mexicans; and the latest information from the West of the Invading Army.

[Austin: Printed at the Austin City Gazette Office. 1842.]

Broadside, Arrangements, etc., in double columns. 32 x 20 cm.

The proclamation of Hockley as Secretary of War and Navy is followed by a reprinting, from the same setting of type and under the heading "Arrangements," etc., of the text of the preceding entry here, the March 7 broadside, *To Arms! To Arms!*, with the addition at the end of a bulletin headed, "Tuesday Evening, 7 o'clock," saying that the number of Mexicans "that crossed the Nueces does not exceed 750 men."

Hockley (1802-1854), a friend of Houston's, followed him to Texas and was his chief of staff at San Jacinto and later his Secretary of War, appointed first in 1838 and again in December, 1841.

LOCATIONS: Tx.

503. AUSTIN CITY GAZETTE.

[Austin City Gazette, Extra, March 12. Publishes proclamation of George W. Hockley, Secretary of War and Navy, dated Austin, 12th March, 1842, beginning: "The Mexicans have left Bexar, and have plundered it. They were evidently a marauding party, commanded by regular officers. . . ."]

[Austin: Printed at the Austin City Gazette Office. 1842.]

No copy located, but the text of Hockley's proclamation was reprinted from this extra in the *Telegraph* of March 23, 1842.

504. BAPTISTS, *Texas*. UNION BAPTIST ASSOCIATION.

Minutes of the Second Annual Session of the Union Baptist Association, held at the Clear Creek Meeting House, near Rutersville, in Western Texas, commencing on the 7th October, 1841.

Houston Telegraph Power Press. 1842.

Pages [1]-9; p. [10] blank; p. 13-19; folding table between p. [10] and 13. 18.5 cm.

Mr. L. R. Elliott, Librarian of the Southwestern Baptist Theological Seminary, writes me that their copy, the only one located, is so tightly bound with copies of the other minutes that it is impossible to tell

whether the folding table was considered to be pages [11]-[12], or those two pages are missing. The text does not indicate missing pages.

It appears from these *Minutes* that this second meeting was organized by the three churches, Travis, Independence, and La Grange, of which T. W. Cox was pastor, which had assembled for the first meeting held at Travis in October, 1840, No. 379 here. Six other churches, including Galveston and Houston, of which James Huckins was the pastor, and three, Washington, Providence, and Mount Gilead, of which W. M. Tryon was pastor, were admitted to membership. The Minutes, p. [3]-9, followed by the list of churches and delegates, p. [11-12], end with an address by James Huckins, p. 13-19. T. W. Cox, who had been moderator of the 1840 meeting but whose orthodoxy had been questioned, was not elected to any office, the officers for the ensuing year being William M. Tryon, Moderator; S. P. Andrews, Clerk; R. E. B. Baylor, Corresponding Secretary; and J. W. Collins, Treasurer. Another prominent member of this meeting was Z. N. Morrell, of whom there is an interesting sketch in the *Handbook of Texas*.

For a general note on this association see note to the first meeting, No. 379 here.

LOCATIONS: TxFwSB.

505. BURLESON, EDWARD, 1798-1851.

To the Public. [Address of General Burleson to his "Fellow-Citizens of Texas," dated April 6, 1842; followed by a letter from him to "Brigadier-General A. Somerville (i.e. Somervell)" and Somervell's reply, both dated San Antonio, March 31, 1842; and ending with Burleson's address disbanding the volunteers under his command, dated Alamo, San Antonio de Bexar, April 2, 1842.]

[Houston? Printed at the Telegraph Office? 1842.]

Broadside in three columns. 44.5 x 31 cm.

It appears from the Burleson letter of March 31 that on March 18 the volunteers then under his command at San Antonio had refused to obey the order of Houston giving the command of the troops there to Somervell. In this letter Burleson again offers to yield the command to Somervell, who, in his letter of the same date, declines "to subject [himself] to the mortification of their [the volunteers'] refusal

to obey [his] orders." In his letter of April 2 disbanding the volunteers Burleson uses the well-known expression, "though Thermopylæ had her messenger of defeat, the Alamo had none." The time and circumstances of the use of this expression by Burleson is discussed in a note in the *Quarterly*, Texas State Historical Association, for April, 1904, Vol. VII, p. 328. There a descendant of Burleson's says he used this expression for the first time in a speech to Texans assembled at Gonzales when the news of the fall of the Alamo reached that place.

In his address here of April 6 to his "Fellow Citizens of Texas," Burleson tells how the Secretary of War at Austin (President Houston being absent in the east) had asked him to take command of the volunteers at San Antonio, and how shortly afterward he had received an order from the War Department "in no event to cross the Rio Grande." Burleson criticizes Houston's order not to advance and urges that the Texans should campaign in the Valley of the Rio Grande.

Burleson came to Texas in 1830 and was prominent in Texas affairs, being a delegate to the convention of 1833, a colonel at Bexar and San Jacinto, in command of the troops in the Cherokee War, and vice president of Texas 1841-1844. I follow the sketch by Charles W. Ramsdell in the *Dictionary of American Biography* in giving 1798 as the year of Burleson's birth rather than 1793 as given in the *Handbook of Texas*.

The addresses and letters are reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 43-47.

LOCATIONS: NcU (Southern Historical Collection).

506. BURNET, DAVID GOUVERNEUR, 1788-1870.

Reply to the Report of the Committee on the Santa Fe Expedition.

[At end:] <Telegraph Press—Houston.> [1842.]

7, [1] p. 22 cm.

Caption title.

This *Reply* is preceded by a letter "To the Editor of the Telegraph" in which Burnet states that a report charging him with "a violation of 'every obligation which is held sacred by man,' should not remain among the Archives of the Republic, without an effort to expose the error of its positions." The report which Burnet thus epitomizes was made on December 6, 1841, by a committee of the House headed by

Isaac Van Zandt. It is No. 466 here. In his *Reply* Burnet points out that it was well known that he had nothing to do with the Santa Fe Expedition and that he disapproved of it.

This *Reply* is reprinted from the pamphlet in the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 176-182, accompanied by a statement of the editor of the *Journals* that though not part of the Journal, it is printed with the proceedings of the House for December 17, 1841, because of "the importance and rarity of the document." My copy of this *Reply* once belonged to Burnet and came to me from a member of his family. In his handwriting on the plain wrapper is, "Santa Fee [*sic*] Committee reply to—1842."

LOCATIONS: TxU. TxWFM. TWS.

507. CIVILIAN AND GALVESTON GAZETTE.

[Address of the Carrier of the Civilian and Galveston Gazette, January 1, 1842.]

[Galveston: Printed at the Civilian and Galveston Gazette Office. 1842.]

[Broadside?]

No copy located, but quoted from in Ben C. Stuart's *History of Texas Newspapers*, at p. 170-171 of the typescript in the University of Texas Library.

508. CIVILIAN AND GALVESTON GAZETTE.

[Civilian. Extra. Saturday, March 12, 1842. Publishes news of the taking of San Antonio by the Mexicans.]

[Galveston: Printed at the Civilian and Galveston Gazette Office. 1842.]

[Broadside?]

As I have entries in Part III for newspaper extras printed in Little Rock, Arkansas, and Columbus, Ohio, giving the news of the taking of San Antonio on Saturday, March 5, 1842, I think it may be interesting to jot down here how the news spread.

The report of the taking was first printed at Austin in a broadside dated, "Gazette Office, Half-past 10 o'clock, Mond. morn." [March 7, 1842], No. 501 here. This was reprinted with additional information

in an extra of the *Gazette* issued either after seven o'clock Tuesday night, March 8, or Wednesday, March 9, No. 502 here. The news next appears, as far as my information goes, in the extra of the *Civilian and Galveston Gazette* for March 12, entered above. It appears that the news came to Galveston via "the steamer Dayton" from Houston and that the news had come to Houston in "expresses arrived yesterday from Austin dated Monday last," that is, Monday, March 7. This well may have been printed in an extra of a Houston paper.

It appears from the *Arkansas Gazette* extra of March 24 that the news was published in the *New-Orleans Bee* of March 16, so that it took over a week for the news to go from New Orleans to Little Rock. My last entry for the story is the *Ohio Statesman—Extra*, dated "Columbus, March 26, 5 o'clock [p.]m." The news there is reported to have come by way of Cincinnati, from an extra of the *New Orleans Crescent City*. That in turn, like the *New-Orleans Bee*, got its information from the March 12 extra of the *Civilian and Galveston Gazette* entered above.

No copy located, but quoted from in an extra of the *Arkansas Gazette*, Little Rock, March 24, 1842, entered in Part III here.

509. CIVILIAN AND GALVESTON GAZETTE.

Civilian---Extra. Monday, March 21, 1842. [Publishes an address from the Committee of Safety of Matagorda "To the Citizens (of) the Eastern Counties," telling of the approach of the Mexican army and appealing for help, signed by M. Talbott, Ch. Jus., Chmn. and eight others, and dated Matagorda, March 19, 1842. Text begins:] The following reached us this morning by Mr. S. Mussina, who left Matagorda at noon on Saturday. . . .

[Galveston: Printed at the Civilian and Galveston Gazette Office. 1842.]

Broadside. 23.4 x 12.7 cm.

This broadside shows the wild rumors that ran through southeast Texas when Mexican troops occupied San Antonio without opposition on March 5, 1842. The reports given here were that as many as 9,000 Mexican troops were invading the country by the Matagorda road, and 12,000 on the road to San Antonio, with the address warning, "If there is not a prompt turnout by the Middle and Eastern counties, the enemy will ravage and overrun our country."

LOCATIONS: TWS.

510. CIVILIAN AND GALVESTON GAZETTE.

[Extra of September 29, 1842, publishing reports on the campaign against the Mexican invaders under General Woll.]

[Galveston: Printed at the Civilian and Galveston City Gazette Office. 1842.]

[Broadside?]

No copy located, but the reports are republished from this extra in the *Civilian and Galveston City Gazette* of October 1, 1842.

511. CIVILIAN AND GALVESTON GAZETTE.

[Extra of October 20, 1842, publishing the news of the total loss of the steamer *Merchant*, "which left New Orleans for this port on Sunday, the 2d instant, with seventy passengers."]

[Galveston: Printed at the Civilian and Galveston City Gazette Office. 1842.]

[Broadside?]

No copy located, but the news is reprinted from this extra in the *Civilian and Galveston City Gazette* of October 22, 1842.

512. DAILY BULLETIN, *Austin*.

Daily Bulletin---Extra. Gazette Office, January 18, 1842. [At head of first column:] From Santa Fe. Capture of the Texian Expedition confirmed—Indignity to the American Consul, and the Resident Americans in Santa Fé!!! [Extract from "N. O. Bul., Jan. 3" followed by unsigned letter to "Messrs. Editors," dated, Independence, Dec. 16, 1841.]

[Austin: Printed at the Daily Bulletin Office. 1842.]

Broadside in two columns. 32.2 x 18.3 cm.

Though this broadside and the broadside *A Voice from the West!!!* (No. 551 here) are apparently the first separate publications issued in Texas telling of the capture of the Texian Santa Fe Expedition, the first newspaper publication in Texas of the news seems to have been the Houston *Telegraph and Texas Register* for December 8, 1841, with a quotation from the New Orleans *Bulletin* giving a re-

port from a Vera Cruz newspaper of October 20. That paper in turn had a quotation from a supplement of the Mexican *El Siglo XIX* with a report of the capture dated from Villa del Passo on September 28. The next report came via Chihuahua and San Antonio and was published in the *Weekly Texian* of Austin on December 15, 1841. This broadside of January 18, 1842, gives the news as it was received in Independence, Missouri, on December 14 from Signor Alvarez, the American Consul at Santa Fe, who had left Santa Fe for the overland trip to the States fifty days before. The broadside is based on an article in the New Orleans *Bulletin* of January 3, 1842, quoting from the *Missouri Republican* of December 24, 1841. It gives a detailed account of the capture of the Texans.

In Part II there is an entry for a Chihuahua broadside giving the September 28, 1841, report from Villa del Passo, referred to above; and another broadside issued by the *Secretaria* of the Commanding General at Durango and dated at the end, Durango, Octubre 8 de 1841, published a report of Manuel Armijo dated September 22, 1841, reporting the capture of Captain Cooke's detachment of the expedition on September 17. Governor Armijo's own proclamation on the defeat and capture of the Texans is dated at Santa Fe, Noviembre 10 de 1841.

LOCATIONS: TWS.

513. FREEMASONS, *Texas*. GRAND LODGE.

Constitution of the Most Worshipful Grand Lodge of the Republic of Texas. Revised in Grand Annual Communication, Dec. 19th, A. D. 1841; A. L. 5841.

Austin. Printed by Comp. Sam. Whiting, Congress Avenue. 1842.

21 p., 1 leaf with List of Subordinate Lodges, folding leaf with Form of Return to be Observed by Subordinate Lodges. 19.5 cm. Printed paper wrappers.

Wrapper title same except "Most Worshipful" omitted. On verso of back wrapper: Officers of Grand Lodge for 1842.

The text of the Constitution is given in the *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, Vol. I, p. 103-108, and the vote adopting it on p. 111.

LOCATIONS: DSC. IaCrM. MBFM. NNFM. TxWFM (lacks wrappers).

514. FREEMASONS, *Texas*. GRAND ROYAL ARCH CHAPTER.

Constitution of the Grand Royal Arch Chapter of the Republic of Texas. Adopted by the Grand Royal Arch Chapter, Dec. 21, A.D. 1841, A. L. 5841.

Austin: Printed by Comp. Sam. Whiting, Congress Avenue. 1842.

11 p. 20 cm.

The formation of this Grand Royal Arch Chapter is described in the *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, Vol. I, p. 112, and this Constitution is reprinted in the *Proceedings of the Grand Royal Arch Chapter*, Houston, 1897, p. [1]-6.

LOCATIONS: NNFM. TxWFM.

515. FREEMASONS, *Texas*. LONE STAR ROYAL ARCH CHAPTER, No. 3, *Austin*.

By-Laws of Lone Star Royal Arch Chapter, No. 3. Chartered Dec. 21, A. D. 1841, A. L. 5841.

Austin: Printed by Comp. Sam. Whiting, Congress Avenue. 1842.

12 p. 18.5 cm. Plain wrappers.

Sabin 95084.

LOCATIONS: TxU (wrappers bound in).

516. GALVESTON ARTILLERY COMPANY.

The Charter and Constitution of the Galveston Artillery Company, Organized Sept. 13th, 1840.

Printed by S. Bangs, Galveston Chronicle Office. [1842?]

8 p. 20.2 cm.

The act incorporating the company, approved January 30th, 1841, is given on p. [2], with the Constitution following on p. 3-7, and a list of officers and privates on p. 8. Listed among the honorary members are Col. M. B. Menard, Hon. Samuel M. Williams, and T. F. McKinney, Esq. At the foot of p. 7 is a statement that this constitution was adopted at a meeting of the company held October 26, 1842.

The constitution here has less of the character of that of a social club than the constitution of the Milam Guards, No. 325 here, and the Travis Guards, No. 430 here.

LOCATIONS: TxGR (Original (?) buff wrappers bound in). TxU (Original (?) pale blue wrappers).

517. GALVESTONIAN.

Address of the Carrier of the Daily Galvestonian, January 1, 1842.

[Galveston: Printed at the Galvestonian Office. 1842.]

Broadside in two columns. 24 x 19.2 cm.

Text in rhyme, within columns and arch of type ornaments.

LOCATIONS: TxGR.

GAZETTE. *See* Austin City Gazette, Nos. 502 and 503 here.

518. HARRIS COUNTY. CITIZENS.

. . . [Report. Text begins:] At a large meeting of the citizens of Harris county, assembled at the Court House this forenoon, in pursuance of a call from the Committee of Vigilance and Safety . . . the following preamble and resolutions were unanimously adoptd: . . . [Signed:] Barnard E. Bee, Chairman. J. W. Pitkin, Secretary. [Followed by a short letter from Houston to the committee dated at the beginning, "Houston City, March 15, 1842."]

[Houston: Printed at the Houstonian Office. 1842.]

Broadside in two columns. 30.5 x 24.5 cm.

At head: The Houstonian. Extra. March, 15, 5 o'clock P. M.

At the meeting which had been called because of the Mexican entry into San Antonio, one of the resolutions declared that the time had now come for "carrying the war into the enemy's territory." Houston wrote a characteristic letter saying, "let us expel the enemy, and then we will know what is needful."

LOCATIONS: Tx.

519. HOUSTONIAN, *Houston*.

The Houstonian. Extra. March, 15, 11 o'clock A. M. [Text begins:] The Austin mail arrived this morning. . . . [Publishes a report on the progress of the Mexican invasion followed by an order from Sam Houston to Brig. Gen. E. Morehouse, dated March 15, 1842, an order from Morehouse to his troops of the same date, and a proclamation of Geo. W. Hockley to the public dated 7th March, 1842.]

[Houston: Printed at the Houstonian Office. 1842.]

Broadside in two columns. 28.4 x 21.6 cm.

Houston's order to Morehouse was to have the troops "now here, and anxious to join the army" report to General Somervell. The Hockley proclamation is reprinted from the extra of the *Austin City Gazette* of March 7, entered as No. 502 here.

LOCATIONS: Tx.

HOUSTONIAN. Extra. March, 15 [1842], 5 o'clock P. M. *See* Harris County. Citizens, No. 518 here.

520. MORNING STAR, *Houston*.

[Extra of September 26, 1842, publishing a report that Colonel Caldwell had been surrounded on the Salado by the Mexicans under General Woll.]

[Houston: Printed at the Telegraph Office for the Editor of the Morning Star. 1842.]

[Broadside?]

The report was, as we all know, quite wrong, for Colonel Caldwell, by a brilliant ruse, had induced General Woll to attack the Texans in a well-protected spot on the Salado. What is known as the Battle of Salado resulted, in which the Mexicans were forced to retreat with a loss of about sixty men against one for the Texans.

No copy located, but the report is reprinted from this extra in the *Civilian and Galveston City Gazette* of October 1, 1842.

521. RUTERSVILLE COLLEGE.

Second Annual Catalogue of Rutersville College. Rutersville, Fayette County, Texas. 1841.

Austin: S. Whiting, Public Printer—Congress Avenue. 1842.

15 p. 19 cm.

It appears from the Catalogue that this pioneer Texas college had been making progress since it issued its first catalogue, No. 397 here. In 1842 there were fifty-nine male and forty-one female students, or an increase of some fifty per cent, and four members of the faculty instead of three. It is stated that "a College Library and Cabinet have been commenced. One of the permanent College buildings will be erected soon. The various professorships will be filled as the patronage of the College may require."

See note to the First Annual Catalogue, No. 397 here, for various references to the institution.

LOCATIONS: TxU. TWS.

522. TEXAS (*republic*). ARMY.

Attention Head-Quarters, 4th Regiment, 2d Brigade, Texas Militia, Galveston, Oct. 23, 1842, Order -- No. 30. [Text begins:] In obedience to a special order of this date from Col. George W. Hockley, commanding on Galveston Island, this Regiment will be mustered into the service of the Republic on Tuesday the 25th inst. . . . [At end:] By order of Alden A. M. Jackson, Col. Commanding. C. G. Bryant, Act. Adj. [Galveston. 1842.]

Broadside. 31 x 20.3 cm.

LOCATIONS: Tx (printed on pale blue paper).

523. TEXAS (*republic*). ARMY.

[Form of army orders beginning:] Captain _____
In accordance with an order from the Executive, dated Houston, March 22d, 1842, giving me instructions to cross the Rio Grande, should the forces in the field justify such a move-

ment; you are authorized to raise all the men you can, for the campaign; . . . [Signed at end:] By Order of A. Somervell, General 1st Brigade, T. M. G. H. Harrison, Acting Brigade Major:

[n.p. 1842.]

4-page folder printed on p. [1]. 28.4 x 22.9 cm.

Though this army order with a blank for the recipient's name and with Somervell's printed signature must have been printed after Houston's order of March 22, 1842, to General Somervell, to which it refers, it also seems as if it must have been printed before the news came of Burleson's disbanding the volunteer forces at San Antonio on April 2 (see Burleson's *To the Public*, No. 505 here), and possibly before it was known that on March 18 the troops at San Antonio had refused to recognize Somervell as their commander. Quite possibly it was printed at Houston not long after the time of the order of March 22. The only copy of this order now known has the recipient's name filled out as "Eli Chandler." It is puzzling to me that this copy is dated at the beginning in manuscript, "San Antonio Apr 9th 1842," or a week after the forces at San Antonio had been disbanded.

In view of Houston's well-known opposition to an invasion of Mexico, his tongue must have been in his cheek when he drafted the order of March 22.

LOCATIONS: Tx.

524. TEXAS (*republic*). ATTORNEY GENERAL (*George W. Terrell*).

[Opinion of the Attorney General in reference to the Cherokee Lands.]

[Washington: Printed at the Texian and Brazos Farmer Office. 1842.]

The report is dated at the beginning, City of Houston, Sept. 10th, 1842, and signed, G. W. Terrell, Attorney General. The opinion holds that the Cherokees acquired from the Consultation of 1835 a "valid and unimpeachable" title to the lands and that no locations made on the Cherokee lands since the act of the Consultation are valid.

Terrell (1803-1846) was an old friend of Houston, who, when Governor of Tennessee, had appointed him a district attorney. Terrell came

to Texas in 1837, was secretary of state for a short time in 1841, attorney general in Houston's second term, and chargé d'affaires to Great Britain, France, and Spain in 1844.

No copy of a separate issue located, but 300 copies were ordered printed by the House, Dec. 2, 1842, and charged for in Thomas Johnson's bill of December 27, under date of December 22 (Ms., Archives, Texas State Library). The Opinion, with title as above, was printed in the *Appendix to the Journals of the House . . . Seventh Congress*, [Washington, 1843], p. 45-52.

525. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. COMMITTEE ON FINANCE.

Report on [*i.e.* of] the Finance Committee.

[Austin: Printed at the Austin City Gazette Office. 1842.]

15 p. 19.5 cm.

Caption title.

This report is dated at the beginning, Committee-Room, Jan. 3, 1842, and signed, Tod Robinson, Chairman. It refers to the previous report of the Committee dated December 15, 1841, No. 461 here, and comments, "Our Treasury is entirely empty, our public domain unavailable, and confidence in our public credit utterly shaken and impaired." The report recommends that exchequer bills up to \$150,000 payable out of current receipts be issued and that only gold or silver or these exchequer bills be accepted in payment of customs duties. Another recommendation is that the fiscal year shall begin on April 1 of each year, and there are recommendations as to direct taxes. These recommendations were substantially carried out, except for the proposed change in the fiscal year, in an act approved January 19, 1842, "To authorize the President to issue Exchequer Bills, and to declare what shall be receivable in payment of taxes and duties on imports." In this act the amount of the exchequer bills was fixed at \$200,000. For the report of the Select Committee on Finance on these matters see No. 528 here.

The report entered here is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 255-268, and 250 copies were ordered printed. These were charged for in Samuel Whiting's bill of January 20, 1842 (Ms., Archives, Texas State Library).

LOCATIONS: TxH.

526. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. SELECT COMMITTEE ON BOUNDARIES.

Report of Select Committee on Boundaries of Texas.
[Austin: Printed at the Austin City Gazette Office. 1842.]

4 p. 20 cm.

Caption title.

Page 3 misnumbered 5.

This extraordinary report is dated at the beginning, Committee Room, Jan. 10, 1842, and signed at the end, Jon W. Dancy, Chairman of Select Committee. It recommends a bill extending the boundaries of Texas to the Pacific Ocean, from the Tropic of Cancer to the forty-second degree of north latitude. The report remarks in support of its recommendations, "Texas is merely the nucleus of a mighty republic." In less than two months a Mexican raiding force held possession of San Antonio for a few days.

The bill was passed by both the House and Senate, but was vetoed by President Houston in a message dated February 1, 1842, given in the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 434-436. The pamphlet report is reprinted at p. 363-366, and 250 copies were ordered printed. Only 200 copies were charged for in Whiting's bill of January 20 (Ms., Archives, Texas State Library).

LOCATIONS: TxWFM. TWS.

527. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. SELECT COMMITTEE ON FINANCE.

Report of the Select Committee on Finance. By order of the House of Representatives.

Austin: S. Whiting, Public Printer—Congress Avenue.
1842.

8 p. 20.3 cm.

This report is dated at the beginning, Committee-Room, Dec. 30, 1841, and signed on p. 8 by Jesse Grimes, Chairman, and five other members of the committee. It recites that the government is unable to pay interest on its debt and recommends that all its liabilities be funded for thirty years, with creditors authorized to take government lands in payment of their claims. It also recommends an issue of \$200,000 in exchequer bills which, with gold or silver, are to be the

only currency receivable for import duties. For legislation on this see note to Report of the Committee on Finance, No. 525 here.

The main claim to fame of Grimes (1788-1866) is that he was one of the signers of the Texas Declaration of Independence.

The report is reprinted from this pamphlet in the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 242-246, and 250 copies were ordered printed.

LOCATIONS: TxWFM. TWS.

528. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
HOUSE. SELECT COMMITTEE ON WEIGHTS AND MEASURES.

Report of the Select Committee on Weights and Measures.
[Austin: Printed at the Austin City Gazette Office. 1842.]

4 p. 20.4 cm.

Caption title.

This report, dated, Committee-Room, Austin, Jan. 1, 1842, and signed at the end, Jon W. Dancy, Chairman of Select Committee, gives short accounts of the French metric system and the English so-called "Imperial System" and recommends the metric system for adoption in Texas.

This report is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. II, p. 314-316, with the text of the bill on p. 316-318, and 250 copies were ordered printed (p. 362). These were charged for in Whiting's bill of January 20, 1842 (Ms., Archives, Texas State Library). It would appear from the note on p. 318 of the Journal that the measure was regarded as a joke.

LOCATIONS: TxH. TWS.

529. TEXAS (*republic*). CONGRESS (*Sixth, regular session*).
SENATE.

Journals of the Senate of the Republic of Texas: Sixth Congress—1841-1842. Published by Authority.

Austin: S. Whiting, Public Printer—Congress Avenue.
1842.

220 p. 20.4 cm.

It appears from the preface of the reconstructed *Journals of the Sixth Congress* that on March 4, 1842, the Secretary of State of Texas received 300 copies of this Senate Journal from S. Whiting, the Public Printer, and that the threatened Mexican invasion prevented the printing of the House Journal of this Congress and other public documents. The Journal records that this Senate met first on November 1, 1841, and adjourned *sine die* on February 5, 1842. In the reconstructed *Journals of the Sixth Congress*, which I refer to above, the Journal of the Senate is not a reprint of this 220-page Journal printed by Whiting, but is copied from a manuscript "Journal of the Senate of the Republic of Texas, Sixth Congress, Book 7," the loose-leaf journals kept from day to day apparently having been lost. In the reconstructed *Journals* much in the way of committee reports and the like has been added from other sources. I have not compared the text of the original printed journal and its modern reconstruction throughout, but at the very beginning I notice that Wyly Martin is reported in the original printing as present at the opening session, but not so reported in the modern reconstruction.

All references in the notes here to the Journal of the Senate of the Sixth Congress, unless otherwise stated, are to the reconstructed Journal published at Austin in 1940, and not to this original edition of 1842.

Sabin 94970, *note*.

LOCATIONS: TxU. TxWFM. TWS.

530. TEXAS (*republic*). CONGRESS (*Sixth, special session*).
HOUSE. COMMITTEE ON MILITARY AFFAIRS.

Report of Majority of Military Committee. July 4, 1842.
(Printed by order of the House of Representatives.)

[At end:] Telegraph Press—Houston. [1842.]

4 p., printed in double columns. 30 cm.

Caption title.

In upper left corner of first page: 1000.

This report is dated at the beginning City of Houston, Committee Room, 4th July, 1842, and signed at the end by Isaac Van Zandt and four others. It recommends the prosecution of an offensive war against Mexico and reports a bill which does not formally declare war, but gives the President power to call for volunteers for an offensive war to commence at such time as he "may deem compatible with the pub-

lic interests." The bill as amended from time to time was vigorously debated in the House and Senate and finally passed, but was vetoed by President Houston. For this veto message see No. 546 here.

The report is given in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 119-125, with the bill as first reported on p. 125-127. The Journal is not clear as to how many copies were ordered printed, but note the "1000" on the first page.

LOCATIONS: ICN (Ayer). TxWFM.

531. TEXAS (*republic*). CONGRESS (*Seventh*). HOUSE.
 [Standing Rules for Conducting Business in the House of Representatives of the Republic of Texas.]
 [Washington: Printed at the Texian and Brazos Farmer Office. 1842.]
 [12 p.]
 No copy located, but 50 copies of "the rules printed in 1838" were ordered printed by the House, Nov. 24, 1842, and were charged for on Thomas Johnson's bill printed in the Senate Journal for Dec. 29, 1842.
532. TEXAS (*republic*). DEPARTMENT OF WAR AND MARINE.
 Report of the Secretary of War and Marine. (Printed by order of the House of Representatives.)
 [At end:] Telegraph Power Press—Houston. [1842.]
 3, [1] p., printed in double columns. 23.5 cm.
 Caption title.

This report is dated at the beginning, "Depatrment [*sic*] of War and Marine, 23d June, 1842," and signed at the end, G. W. Hockley, Secretary of War and Marine. It gives the status of army stores, reports briefly on the taking of Bexar by the Mexicans in March, tells of services of the friendly Lipans and Tonkawas, and reports, again briefly, on other matters.

By an act of the Fifth Congress, approved January 18, 1841, the office of Secretary of the Navy had been abolished (*Laws . . . Fifth Congress*, p. 105-107), with the duties of the office to be performed by the Secretary of War.

The report is reprinted in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 107-112.

Sabin 95062.

LOCATIONS: TxWFM.

533. TEXAS (*republic*). DEPARTMENT OF WAR AND MARINE.

[Report of the Acting Secretary of War and Marine.]

[Washington: Printed at the Texian and Brazos Farmer Office. 1842.]

[8 p.]

This report is reprinted in the *Appendix to the Journals . . . House . . . Seventh Congress*, No. 567 here, p. 30-38. It is dated at the beginning, Department of War and Marine, Washington, 12th Nov. 1842, and signed at the end, M. C. Hamilton, Acting Secretary of War and Marine. Much of the report relates to the taking of San Antonio by the Mexicans in September, 1842.

The brief sketch of Hamilton (1809-1893) in the *Handbook of Texas* is rather tantalizing. It records that he came to Texas in 1837 and served from 1839 to 1845 in the War Department, first as clerk, then as secretary of war and marine. It adds that he retired from business in 1852 and left a large fortune when he died in 1893.

No copy located, but 100 copies were ordered printed by the House, Dec. 3, 1842, and were charged for in Johnson's bill printed in the Senate Journal for Dec. 29, 1842.

534. TEXAS (*republic*). GENERAL LAND OFFICE.

Proclamation. General-Land-Office, Republic of Texas. [Dated September 28, 1842, and signed:] Thomas Wm. Ward. . . .

[Washington: Printed at the Texian and Brazos Farmer Office. 1842.]

4-page folder printed on page [1]. 24.5 x 19.5 cm.

Here, after referring to an order promulgated by President Houston on September 19, calling out the militia to repel "an invading army of Mexicans," Ward orders that business in all the Land Offices

throughout the Republic be suspended until "the enemy is expelled." At the foot is the statement, "the several Newspapers in the Republic are requested to give the above one insertion." Ward (1807-1872) was one of the forceful characters of Texas, as Republic and State. He came first to Texas as a member of the New Orleans Greys in 1835, lost a leg at the siege of Bexar, followed his profession of architect at Houston, and succeeded John P. Borden as Commissioner of the General Land Office in 1841, and held that position after Texas became a state, until 1848. For a report by Ward in 1844 see No. 601 here, and for a card in which he announces to the world that two enemies of his are "liars and scoundrels," see No. 614 here.

LOCATIONS: Privately owned. Photostat at TxU.

535. TEXAS (*republic*). LAWS.

Laws Passed by the Sixth Congress of the Republic of Texas. Published by Authority.

Austin: S. Whiting, Public Printer—Congress Avenue. 1842.

120 p.; index, vii p., verso blank; Abstract of Private Acts and Joint Resolutions, viii p. 21.1 cm.

These were the laws passed at the regular session of the Sixth Congress. Whiting's charge of March 4, 1842, was for 2000 copies (Ms., Archives, Texas State Library). They are given in a page-for-page reprint, except for the omission of the printer's name and address from the imprint on the title page, in Gammel, Vol. II, p. [673]-808.

Raines, p. 230. Sabin 95000, *note*.

LOCATIONS: CU-B. CtY. DLC. MH-L. NN. Tx. TxU. Graff. TWS. Also 21 others.

536. TEXAS (*republic*). LAWS.

Laws | Passed at a Special Session of the | Sixth Congress | of the | Republic of Texas, | Convened and Held at the | City of Houston, | June 27th, 1842. |

Houston: | Printed at the Telegraph Office. | 1842. |

10 p. (including blank p. [9] and attestation of Secretary of State on p. 10); index, ii p.; Abstract of Private Acts and Joint Resolutions, ii p. 20.7 cm.

Raines, p. 230. Sabin 95000, *note*.

LOCATIONS: DLC. Tx. TxU. TWS. Also 6 others.

537. ——— Another edition, with title:

Laws | Passed at a Special Session | of the | Sixth Congress | of
the | Republic of Texas, | Convened and Held at the | City of
Houston, | June 27th, 1842. |

Houston: | Printed at the Telegraph Office. | 1842. |

8 p.; attestation of Secretary of State [1] p.; index, ii p.; Abstract of Private Acts and Joint Resolutions [1] p. 19.6 cm.

LOCATIONS: NN. TxDaM (lacks everything after p. 8).

537A. ——— Another issue of the preceding with same title, imprint, and date, but with attestation numbered as p. 9.

9 p. (including attestation on p. 9); index, ii p.; Abstract, etc. [1] p. 20.7 cm.

This issue of the laws is reprinted in Gammel, Vol. II, p. [809]-820, but with the lining of the title in Gammel differing from that of the two editions entered here, and without the full imprint on the title page.

LOCATIONS: CU-B. CtY-L. MH-L. Tx. TxU. TWS. Also 12 others.

538. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

Address of the President of the Republic to the People of Texas.

[At end:] Houstonian Press. [Houston. 1842.]

8 p. 18.5 cm.

Caption title.

This *Address*, dated at the beginning, Executive Department, City of Houston, April 14th, 1842, and made at a time when there was great excitement over the taking of San Antonio by the Mexicans, calls for volunteer companies of fifty-six men each who will remain at home until called into service. All troops who attempt to visit the frontier "will be acting in violation of law." Houston was definitely "sitting on the lid."

This *Address* is printed in the *Writings of Sam Houston*, Vol. III, p. 26-32, from manuscript sources, where this pamphlet is not mentioned, and in the *Telegraph and Texas Register* for April 20, 1842. Sabin 95029.

LOCATIONS: TxU.

539. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*). By the President of the Republic of Texas. A Proclamation. [Calling for special session of Congress to meet at Houston on June 27, 1842. Dated at end, Houston, May 24, 1842, and signed:] Sam Houston. By the President: Anson Jones, Secretary of State.

[Houston. 1842.]

4-page folder printed on page [1], in two columns. 25 x 19.5 cm.

The full text of this proclamation, calling Congress to meet in special session because "a crisis has now arrived in our affairs with Mexico," is given in the *Writings of Sam Houston*, Vol. III, p. 58.

LOCATIONS: Privately owned. Photostat at TxU.

540. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*). By the President of the Republic of Texas. A Proclamation. [Calling the regular session of the Seventh Congress to meet at Washington, Texas, instead of at Austin, on December 5, 1842. Dated at end, November 21, 1842, and signed:] By the President, Sam Houston. Anson Jones, Secretary of State.

[Washington: Printed at the Texian and Brazos Farmer Office. 1842.]

4-page folder printed on page [1], in two columns. 21.8 x 16.2 cm.

In calling the regular session, Houston notes that for reasons unknown to him no quorum had assembled for the special session he had called to meet at Washington on November 14, and cites a provision of the constitution under which he had moved the seat of government from Austin to Washington. The House had a quorum for the first time on November 24 and the Senate on November 30.

The text of this proclamation is given from a manuscript and also a newspaper source, but with no mention of this broadside, in the *Writings of Sam Houston*, Vol. III, p. 199-200. The call for the special session referred to above is on p. 179 of the same volume.

LOCATIONS: TxGR.

541. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

Letter of Gen. Houston to Santa Anna, together with the letter of the latter written at Orozimbo, in 1836, and the Veto Message of President Houston, delivered to the First Congress at Columbia.

[At end:] Telegraph Power Press—Houston. [1842?]

8 p., printed in double columns. 29.6 cm.

Caption title.

Sabin 95031.

LOCATIONS: TxU.

542. — Another edition, in 18 pages but with same caption title except that "Orozimbo" is spelled "Orazimba", and with same imprint at end. [1842?]

18 p. 20.3 cm.

There is a long note giving the background of this letter in the *Writings of Sam Houston*, Vol. II, p. 527-528, while the letter itself, dated March 21, 1842, is there in full on p. 513-527.

Beginning in 1839, President Lamar had sent various unofficial missions to Vera Cruz to negotiate for Texas independence. Two who had acted as commissioners, Colonel Barnard E. Bee and James Hamilton, thought that bribery would be effective and on January 13, 1842, Hamilton had written a letter to Santa Anna in which this idea of bribery was quite plainly set forth. Santa Anna, then in power, seized this as an opportunity for a grandstand play and in the *Diario del Gobierno* at Mexico City published the Hamilton letter of January 13 and a scathing reply. The text of the Hamilton letter of January 13 and of the Santa Anna reply are given in the issue of *Niles' Register* for March 26, 1842. This caustic open letter of Houston to Santa Anna, written when Texas was smarting under the March, 1842, raid of Mexico on San Antonio, is Houston's reply to the Santa

Anna letter. It ends with the bombastic statement, "believe me, Sir, ere the banner of Mexico shall triumphantly float upon the banks of the Sabine, the Texian standard of the single star, borne by the Anglo-Saxon race, shall display its bright folds in Liberty's triumph, on the isthmus of Darien."

The Houston letter is followed by a printing of Santa Anna's letter to Houston, dated Orazimba (the preferred spelling seems to be Orozimbo), November 5, 1836, when Santa Anna was a prisoner in Texas, with the text in both English and Spanish, and a printing of Houston's message of November 6, 1836, to the Texas Senate regarding Santa Anna, referred to in the title as "the Veto Message of President Houston." This March 21 open letter of Houston put an end to the unofficial negotiations for recognition of Texas independence started by Lamar in 1839.

The text of the "veto Message" is given in the *Writings of Sam Houston*, Vol. I, p. 469-474, and the text of the Santa Anna letter of November 5, 1836, in Brown's *History of Texas*, Vol. II, p. 119-120.

The three letters given in this pamphlet, together with a letter from James Hamilton to Santa Anna, dated March 21, 1842, were reprinted in Yucatan in 1842 and are entered under that year in Part II under the heading "Varios Yucatecos." Houston's letter of March 21, 1842, was reprinted at the Congressional Globe Office, Washington, D. C., in 1852 in an eight-page pamphlet entitled *Letter of General Sam Houston, to General Santa Anna*.

Sabin 95030.

LOCATIONS: TxWFM.

543. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).
 Message of the President and Accompanying Document.
 [Austin: Printed at the Austin City Gazette Office. 1842.]
 4 p. 20 cm.
 Caption title.

I have entered this message under 1842 for it is dated at the beginning, Executive Department, City of Austin, Dec. 30th, 1841, and the order to print 150 copies was voted by the House on December 31. These were charged for in Whiting's bill of January 20, 1842 (Ms., Archives, Texas State Library).

The "accompanying" document is a report of George W. Hockley, Secretary of War and Navy, dated December 22, 1841, p. 3-4 here, stat-

ing that Mexico has two naval vessels building in the United States. It recommends the acquisition by Texas of cannon to defend the approaches to Galveston and Matagorda Bay. The message, but not the Hockley report, is printed from manuscript sources in the *Writings of Sam Houston*, Vol. II, p. 415-416, and both are printed in the reconstructed *Journals of the Sixth Congress*, Vol. I, Senate, p. 173-175, and Vol. II, House, p. 237-239.

LOCATIONS: TxH.

544. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*). President's Message. (Printed by order of the House of Representatives.)

[At end:] Telegraph Power Press—Houston. [1842.]

4 p., printed in double columns. 26 cm.

Caption title.

This Message dated, Executive Department, City of Houston, June 27, 1842, was delivered in person by President Houston at the June 29 meeting of the special session of the Sixth Congress, called to assemble on June 27. It calls upon Congress to decide whether to declare war on Mexico, or to give him power at a comparatively trifling expense to maintain a force on the southwestern frontier to guard against invasion. Other subjects include a defense by Houston of his order for moving the archives from Austin.

The Message is printed in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 99-107, and in the *Writings of Sam Houston*, Vol. III, p. 74-83, from manuscript and newspaper sources. This pamphlet is not mentioned in these reprints.

LOCATIONS: TxWFM.

- 544A. — Another issue, printed by order of the Senate.

No copy located, but Cruger & Moore submitted a charge against the Senate under date of June 30, 1842, for printing 300 copies (Ms. bill, Archives, Texas State Library).

545. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*). President's Message to the Seventh Congress.

[Washington: Printed at the Texian and Brazos Farmer Office. 1842.]

4 p., printed in three columns. 32 cm.

Caption title.

The Message, dated at the beginning, Washington, Dec. 1, 1842, vividly portrays the state of affairs in Texas, "We find ourselves . . . utterly destitute of credit, without a currency, without means and millions in debt." Referring to the lack of means to provide mail service, Houston remarks, "Texas, at this time, furnishes the singular fact, of a government without the means of conveying intelligence, or distributing the laws, throughout the Republic." What are characterized as "flagrant violations of all civil rule" in the case of preventing the removal of the archives is among the other subjects dealt with.

The Message is printed in the *Journals . . . House . . . Seventh Congress*, p. 16-28, and in the *Writings of Sam Houston*, not mentioning this separate printing, Vol. III, p. 203-216. A printing bill in the *Journals . . . Senate . . . Seventh Congress*, p. 53, for December 29, 1842, has a charge for printing 1,000 copies.

This entry marks the first appearance of Thomas Johnson in the bibliography. Though he is credited with more imprints here in 1843 and 1844 than any other printer and was elected public printer over Whiting in January, 1843, yet, as I comment in the "Sketch of Printing" at page lvi here, I have not been able to learn anything about him before 1842 or after 1844.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2).

546. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

. . . Veto Message of the President of the Republic of Texas to the Bill "authorising offensive war against Mexico and for other purposes."

[At end:] Telegraph Press—Houston. [1842.]

4 p., printed in double columns. 23.8 x 23 cm.

Caption title, with "1,000" and "Copies." at head, on left and right respectively.

In this *Message*, dated at the beginning, Executive Department, City of Houston, July 22d, 1842, Houston, while expressing appreciation for the confidence in him shown by the powers granted in this bill, gives excellent reasons for its veto. For the committee report recommending the bill, see No. 530 here.

This veto message is printed in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 168-175 (1,000 copies were ordered printed), and in the *Writings of Sam Houston*, without mention of this separate publication, Vol. III, p. 116-124. A note on p. 124-125 follows, quoting in full a letter of Andrew Jackson to Houston, dated from the Hermitage, August 17, 1842, praising the veto.

Sabin 95034.

LOCATIONS: TxH. TxWFM.

547. TEXAS (*republic*). TREASURER (*J. W. Simmons*).

Annual Report of Treasurer of the Republic of Texas, for 1841. By order of the House of Representatives.

Austin: S. Whiting, Public Printer—Congress Avenue. 1842.

10 p., blank leaf. 19.5 cm.

This gives quarterly statements of debits and credits for each of the four quarters, the last being for the quarter ending September 30, 1841, with a statement on p. 10 of the receipts and expenditures for the year ending September 30, 1841. This is signed at the end, J. W. Simmons, Treasurer.

The foregoing report is reprinted from the original pamphlet in the reconstructed *Journals of the Sixth Congress*, Vol. III, p. 339-343. Vol. III of the reconstructed *Journals* also gives, p. 303-317, the annual report of John G. Chalmers, the Secretary of the Treasury, to which this report of the Treasurer is a supporting document. The Chalmers report, which as far as I know was not printed separately, is followed, p. 317-338, by other supporting documents.

Very little is known about Simmons and that little makes one want to learn more. He was one of the few, if not the only man, prominent in Texas affairs in the days of the republic who had been an undergraduate at Harvard. Clifford K. Shipton, Custodian of the Harvard Archives, has written me that Simmons was a member of the class of 1820 and one of their "lost" men, of whom they know very little except that as a freshman he was "a most troublesome student, frequently punished for neglect of his studies and duties and for wearing illegal garments." All this resulted in his rustication and in November, 1817, at the beginning of his sophomore year, he left Harvard for good. Very little also seems to be known about his activities in Texas, except that he was comptroller of the republic from 1839

to 1840 and treasurer under Lamar until November, 1841, when he returned to the United States. A very brief sketch in the *Handbook of Texas* shows that he published three volumes of poetry, two of them in 1821 and the third in 1852.

Whiting's charge of January 20, 1842, was for 120 copies (Ms. bill, Archives, Texas State Library).

Sabin 95053.

LOCATIONS: TxH. TxWFM.

548. TEXAS (*republic*). TREASURY DEPARTMENT.

[Report from the Acting Secretary of the Treasury transmitting the Auditor's Report of Defaulters from the Commencement of the Government.]

[Austin. 1842.]

No copy of this interesting report with its letter of transmittal dated Treasury Department Austin Jan'y 7th 1841 [i.e., 1842] and signed E. Lawrence Stickney Act Secy of Treasury has been located, but the text of the letter of transmittal is given in the reconstructed *Journals of the Sixth Congress* for January 8, 1842, Vol. II, p. 349, with the order to print 250 copies given on p. 350. The text of the auditor's report is given in Vol. III of the *Journals*, p. 345-349. The total of the amounts in default came to over \$416,000. This includes a charge against Commodore E. W. Moore for \$113,493, with accompanying comment.

TEXAS (*republic*). WAR AND MARINE DEPARTMENT.
See Texas (*republic*). Department of War and Marine, Nos. 532 and 533.

549. TEXAS TIMES, *Galveston*.

[Texas Times - - Extra. Galveston, September 20, 1842. San Antonio Taken by Thirteen Hundred Mexicans under Gen. Woll!]

[Galveston: Printed at the Texas Times Office. 1842.]

No copy located, but reprinted in an extra of the *Courier*, Official Journal of the General Council, and of the First and Third Muni-

palities, New Orleans, Monday, (morning.), Sept. 26, 1842 (copy, or more likely, clipping, in the Archivo General de la Secretaría de Relaciones Exteriores, Mexico City).

550. TEXIAN AND BRAZOS FARMER, *Washington*.

[Extra published in September, 1842, giving a brief report on the taking of San Antonio by General Woll on September 11.]

[Washington: Printed at the Texian and Brazos Farmer Office. 1842.]

No copy located, but quoted in the *Red-Lander* (San Augustine) of October 6, 1842.

551. A VOICE FROM THE WEST!!!

A Voice from the West!!! [Text begins:] Fellow Citizens:—The Piteous cries, and dying groans of our imprisoned and slaughtered countrymen, come to our ears in every breeze that sweeps over the Western prairies; . . . [A plea for vengeance against the Mexicans for the capture of the Santa Fé Expedition, signed "A Citizen.", followed by extracts from the newspapers relating to the capture.]

[Austin: Printed at the Austin City Gazette Office. 1842.]

Broadside in three columns. 45 x 29.7 cm.

This undated broadside, with an extract, "Fate of the Santa Fe Prisoners," with the notation, "From the Houston Star, 13 inst," was probably published at about the same time as the extra of the *Daily Bulletin* of Austin, dated January 18, 1842, No. 512 here.

This broadside has at the beginning an undated letter addressed, "Fellow Citizens," and signed, "A Citizen," calling for an expedition to Mexico to take vengeance on the Mexicans, and a letter addressed to the editor of the New Orleans *Bulletin* dated Natchez, Dec. 20, 1841, and signed "La Fayette," said at the beginning to be "probably from the pen of Gen. Felix Huston." This also calls upon "Gen. Combs of Kentucky, whose son was in the expedition, and the friends of Kendall, of the Picayune, to rally around the standard of freedom and come to the rescue." Two of the extracts given in the Austin *Daily Bulletin* broadside of January 18, the extract from the New Orleans *Bulletin* of January 3, 1842 (though here the date of the is-

sue of the *Bulletin* is not given), and the letter from Independence, Missouri, dated December 16, 1841, are given here.

LOCATIONS: TxWFM (portions of the broadside missing, affecting part of twenty lines of text).

1843

ADAMS, JOHN, *pseudonym*. See [Baker, Moseley], No. 552 here.

552. [BAKER, MOSELEY, 1802-1848.]

... To the Hon. John Quincy Adams, and the other Twenty Members of Congress who addressed "the people of the Free States of the Union," remonstrating against the Annexation of Texas to the American Union.

[Houston: Printed at the Telegraph Office. 1843.]

7 p., printed in double columns. 24 cm.

Caption title, dated at head: Houston, (Texas,) October 29th, 1843.

Signed at end: John Adams.

This is a very able letter, dated at the beginning, Houston (Texas,) October 29th, 1843, and signed at the end, "John Adams," urging John Quincy Adams and his associates in the Congress of the United States not to oppose the annexation of Texas. The history of the colonization of Texas by citizens of the United States and the law of April 6, 1830, is reviewed and arguments in favor of annexation are addressed first to citizens of the northern part of the United States, who are opposed to slavery, and then to citizens of the South, who favor slavery.

There are two pieces of evidence which, when joined together, indicate that Moseley Baker was probably the author of this pamphlet. The first is a letter in the Morgan Papers at the Rosenberg Library (called to my attention many years ago by Mr. E. W. Winkler; photostat in my collection), written by James Morgan to a Mrs. J. M. Storms and dated, 26th January 1844, in which, in discussing annexation, Morgan refers to this pamphlet with the remark, "*John Adams* to the contrary notwithstanding," and adds in the margin, "See pamphlet sent you signed John Adams—written by Genl. Baker." The other bit of evidence is in the *Telegraph and Texas Register* for November 8, 1843, which prints this John Adams letter in full

with the editorial comment that "it is from the pen of a gentleman who has held high and honorable offices under the government, and has been distinguished in the battlefields and in the legislative halls of his country. He is one of the oldest citizens of the country and is intimately acquainted with its civil and political history."

Moseley Baker, who held the rank of Brigadier General in the Texas Army and was a member of the House of Representatives of the First and Third Congresses, fits these two descriptions in all respects except that of being "one of the oldest citizens of the country." I know of no other Texas Baker who to the slightest degree fits the specifications of the Morgan letter and the *Telegraph* editorial comment.

The letter was also published in the *Morning Star* of Houston in the issues for November 2, 4 and 7, with the lining, paragraphing, and italicized words the same as in the pamphlet, indicating that the pamphlet was printed on the press of the *Telegraph* on which the *Morning Star* was printed.

There is also an eight-page edition of this pamphlet, dated, not at the beginning but at the end, October 20, 1843, and not October 29th, which is entered under Moseley Baker in Part III of this bibliography. Sabin 95129 only describes the eight-page edition.

LOCATIONS: DNA (copies State Department Diplomatic Despatches, Texas, Volume 2, and State Department Miscellaneous Letters, November-December 1843, enclosure to a letter of November 27, 1843, from George Fisher to the Secretary of State).

553. BAPTISTS, *Texas*. UNION ASSOCIATION OF THE REGULAR BAPTIST FAITH AND ORDER.

[Minutes of the Fourth Annual Meeting, of the Union Association of the Regular Predestinarian Baptist Faith and Order: Begun and held at the Hopewell Church, in Nacogdoches County, Republic of Texas; Saturday, the 7th of October, 1843, and two following days.]

[San Augustine: Printed at the Red-Lander Office. 1843.]

No copy located, but in *The Red-Lander* (San Augustine) for October 21, 1843, the editor announces, "We have published a pamphlet this week for the 'Union Association of the Regular Predestinarian Baptist Faith and Order,' and have transmitted its contents to our columns." The contents of the pamphlet as published in the newspaper include the "Minutes," signed by Daniel Parker as Moderator,

followed by a letter, also signed by Parker, dated at end "Republic of Texas, Houston County, Sept. 24, 1843.", and beginning, "For the 'Western Predestinarian Baptist,' and through that paper to David Benedict, Post Master, Pawtucket, Rhode Island:". Judging from the republication, the letter made up the bulk of the pamphlet. See the note to No. 436 here, for information on this association.

554. BAPTISTS, *Texas*. UNION BAPTIST ASSOCIATION.

Minutes of a Called Session of the United [i.e. Union] Baptist Association, Held at the Mt. Gilead Church, Washington Co., Texas, on Saturday, November 26th, 1842.

Washington: Printed by Thomas Johnson—Public Printer. 1843.

Pages [1]-6; 9-10; folding table at end. 21.8 cm.

Mr. L. R. Elliott, Librarian of the Southwestern Baptist Theological Seminary writes me that their copy, the only one located, is so tightly bound with copies of the other minutes that it is impossible to tell whether the folding table was meant to be considered to be pages [7]-[8], or those two pages are missing. The text does not indicate missing pages.

Although the name of the association appears on the title page as "United Baptist," in the second paragraph of the Minutes it is given as "Union Baptist," as in other publications of that group entered here.

The opening paragraph of the Minutes recites that on account of "invasion and war" it was not practicable to hold the regular meeting at the appointed time. The following officers were elected for the ensuing year: William M. Tryon, Moderator; William H. Ewing, Clerk; R. E. B. Baylor, Corresponding Secretary; and J. D. Harvey, Treasurer.

One of the resolutions was to "recommend to the different Churches, the 25th of December next, as a day to be spent in fasting and prayer." For a general note on these annual meetings, see under No. 379 here.

LOCATIONS: TxFwSB.

555. CIVILIAN AND GALVESTON GAZETTE.

[Address of the Carrier of the Civilian and Galveston City Gazette, January 1, 1843.]

[Galveston: Printed at the Civilian and Galveston City Gazette Office. 1843.]

[Broadside?]

No copy located, but quoted from in Ben C. Stuart's *History of Texas Newspapers*, at p. 171-172 of the typescript in the University of Texas Library.

556. CIVILIAN AND GALVESTON GAZETTE.

[Extra of January 15, 1843, publishing an account of the progress of the Somervell Expedition.]

[Galveston: Printed at the Civilian and Galveston City Gazette Office. 1843.]

[Broadside?]

The Somervell Expedition, organized to avenge the capture of San Antonio by the forces of General Woll in September, 1842, had captured Laredo on December 8 and caused the surrender of the city of Guerrero on the Salado shortly afterwards. Somervell with part of his force then retired to Gonzales, but the greater number continued to Mexico in what is known as the Mier Expedition.

No copy located, but the account is republished from this extra in the *Civilian and Galveston City Gazette* of January 18, 1843.

DOCUMENTS relative to the Dismissal of Post-Captain Edwin W. Moore, from the Texian Navy . . . 1843. [Washington, D. C. 1847.] See note to [Moore, Edwin Ward], To the People of Texas, [1843], No. 559 here.

557. FREEMASONS, *Texas*. GRAND LODGE.

Proceedings of the Grand Lodge of Texas, at its Sixth Grand Annual Communication. Ordered to be read in the several lodges within the Republic of Texas.

Austin: Printed at Western Advocate Office. MDCCCXLIII.

32 p. 21.1 cm.

This is apparently the first instance of the printing of the proceedings of the annual Communication of the Grand Lodge. The report of

these proceedings is given in the *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, Vol. I, p. 115-131.

Sabin 95085.

LOCATIONS: DSC. MBFM. NNFM. TxU. TxWFM.

558. FREEMASONS, *Texas*. HOLLAND LODGE, No. 1, *Houston*.

[By-Laws of Holland Lodge, No. I.]

[Houston: Printed at the Houstonian Office. 1843.]

Pamphlet.

No copy located, but the *By-Laws* are mentioned in the *Diary of Christian Friedrich Duerr, March 21, 1839 to December 31, 1844* (original in the Baylor University Library), called to my attention by Mr. E. W. Winkler. The pertinent entries made during May 1843 read: "Tuesday 23 Bought S. E. Powers' claim against Holland Lodge (For printing By Laws 25\$) at 15\$ specie. Powers leaves on the Boat." and, "Wednesday 24. Munroe and myself spend the day stitching the By Laws and find it considerably troublesome." (p. 39 of typescript in the University of Texas Library). Samuel E. Powers was editor of the *Houstonian* who, according to Duerr, got into trouble and left Houston hurriedly. Duerr was a member of Holland Lodge and a Houston merchant.

INDEPENDENT CHRONICLE, extra, August 1, 1843. See Moore, Edwin Ward, *and others*, No. 560 here.

559. [MOORE, EDWIN WARD, 1810-1865.]

To the People of Texas.

[Galveston: Printed at the Civilian and Galveston City Gazette Office. 1843.]

Blank leaf, [3]-204 p. 20.5 cm.

Caption title only.

This rare and important book is a storehouse of essential and little-known facts on the last two years of the Texas Navy and on the bitter controversy between President Houston and Moore because of Moore's alleged "disobedience, contumacy and mutiny." An intro-

ductory statement by Moore on p. [3]-11 is followed on p. 12-195 by documents and letters numbered 1-140, interspersed with notes by Moore, the first document being dated September 18, 1841, and number 140 September 1, 1843. Moore's concluding remarks, p. 195-201, are dated September 21st, 1843, and an "Appendix. To the People of Texas," p. 202-204, is signed at the end by Moore and dated Galveston, November 25th, 1843.

As the Texas Navy under Moore played an important and most helpful part in the relations of Texas with Mexico, a preliminary statement will aid, I think, in an understanding of this *To the People of Texas* and other pieces on the Navy in this bibliography.

In the year 1838, when the original Texas Navy had become almost non-existent, a strong sentiment in Congress for a worth-while navy led to an ambitious construction program in Baltimore, and in the following year Edward Ward Moore, a twenty-nine-year-old officer in the United States Navy was put in command of the new fleet by Lamar. That same fall of 1839, Lamar sent James Treat to Mexico to negotiate peace and when in the first half of 1840 there was a successful Federalist revolt in Yucatan and the Canales forces were in active revolt along the Rio Grande, Lamar sent Moore with the Texan Navy to cruise in Mexican waters as an aid to the Treat negotiations. Moore established good relations with the Yucatan Federalists and when the Treat negotiations failed did considerable damage to Mexican shipping.

The Yucatan alliance was formalized by Texas in September, 1841. In December, 1841, at about the time of Houston's inauguration, Moore left Galveston with three ships to cruise off the Yucatan coast and captured several small Mexican ships; and, what was more important, maintained the alliance between Yucatan and Texas and bolstered up the Yucatan leaders who had begun peace negotiations with the Centralists in Mexico City. Returning to Galveston in May, 1842, he proceeded to New Orleans to refit the fleet for the enforcement of a blockade of Mexico, proclaimed by President Houston on March 26, 1842, in retaliation for the recent taking of San Antonio. This refitting was delayed by lack of funds and as Houston was at heart opposed to spending any money on the navy, in a message sent to Congress on December 22, 1842, he told of the delay in refitting the ships, complained of the expense, and recommended that the ships be sold. When, in January, 1843, a favorable turn had taken place in the relations between Texas and Mexico, the Texas Congress passed a secret act to sell the fleet, and James Morgan and William Bryan were sent as commissioners to New Orleans with power, though not absolute orders, to carry this out. They found that Moore, in

consideration of advances of funds by Yucatan to finance the refitting of the fleet, had agreed to attack the Mexican squadron, then blockading the Yucatan coast. Morgan became convinced that this would be highly advantageous for Texas, so Moore with Morgan as a passenger sailed for the Mexican coast and defeated the Mexican squadron in two engagements, one on April 30 and the other on May 16, 1843.

Houston was furious when he learned in March that Moore was planning to take the navy from New Orleans to the Gulf of Mexico instead of returning to Galveston and drafted a proclamation dated March 23, which he sent in a letter of that date to Morgan at New Orleans to show to Moore and to publish if Moore continued with his plans. This is the proclamation suspending Moore from his command and charging him with acts of "disobedience, contumacy and mutiny" and requesting all governments at amity with Texas to seize Moore and his ships on the high seas. On May 6, Houston having learned that Moore had sailed for the Mexican coast, the proclamation dated March 23 was published. I have not seen any separate printing of it. The Mexican negotiations had been progressing and on June 15, 1843, Houston was able to proclaim an armistice, see No. 572 here. In less than a month Moore was back in Galveston with the news of the recent naval victories and notwithstanding the Houston proclamation that he had mutinied, received a royal welcome.

To complete the story it might be added that Moore on his return demanded a trial, and a joint committee of the Eighth Congress made a report on January 27, 1844, printed in the *Journals . . . House . . . Eighth Congress*, p. 348-361, but as far as I know not separately printed, which completely exonerated Moore. This report recommended that Moore be granted a trial by court martial. This trial was held in the last half of 1844 and reported in the press on January 11, 1845. Though four minor charges out of a total of twenty-two charges were upheld, the verdict was generally regarded as a complete victory for Moore. Houston vetoed the findings with the statement, "The President disapproves the proceedings of the court in toto as he is assured by undoubted evidence of the guilt of the accused."

None of the surviving copies of this book located thus far has a title page (the title page in the University of Texas copy is supplied), but that it was printed before February, 1844, and after November, 1843, the date at the end of the pamphlet, is shown by a letter from James Morgan, dated Galveston, 2nd Feby, 1844, to Samuel Swartwout, filed in the Swartwout papers in the University of Texas, in which Morgan says: "I send inc^d with this, his [E. W. Moore's] pamphlet, of over 200 pages to care of Mr. James Reed in N. O., to be

forwarded to you by one of the Packet ships to N. York to care *Henry Waring & Son* merch^{ts} there."

The best account of the Texas Navy is Jim Dan Hill's *The Texas Navy*, Chicago, 1937. The late Dr. Alexander Dienst has a long account with good notes in the *Quarterly*, Texas State Historical Association, for January through October, 1909, Vol. XII, p. 165-203 and 249-275, and Vol. XIII, p. [1]-43 and [85]-127. Both Hill and Dienst quote extensively from Moore's *To the People of Texas*, and both deal favorably with Moore; in fact Dr. Dienst closes his articles with the statement, "There is no question [but] that Commodore Moore should be classed as one of the heroes of Texas."

For other pieces relating to Moore published in 1843, see the two entries which follow, and under 1844 see No. 593, *Report Minority Joint Naval Committee*. There is also material on him in Part III, listed under the year 1843.

Entered here by title under 1843, as a reference but with the actual date supplied as Washington, 1847, is *Documents relative to the dismissal of Post-Captain Edwin W. Moore from the Texian Navy . . . 1843*. For some time after the annexation of Texas there was a great controversy in Washington as to whether Commodore Moore and his fellow officers of the Texas Navy should be given commissions in the Navy of the United States. This was bitterly opposed by a group of officers of the United States Navy, with various pamphlets pro and con, many of which are in my collection of Texas material published after 1845. One of these, dated at the end on p. 32, Washington, March 27, 1847, and signed by Moore, is entitled, *A Brief Synopsis of the Doings of the Texas Navy under the command of Com. E. W. Moore . . .*, Washington: Printed by T. Barnard, 1847. Here in the introduction Moore identifies the pamphlet *Documents relative to the dismissal*, referred to above, as published by Houston at Washington at the close of the last session of Congress, that is, the 29th Congress, which adjourned March 3, 1847. In the copy of *Documents* at the University of Texas Library the date has been changed in pen and ink to 1847.

Raines, p. 151.

LOCATIONS: TxH. TxU. TxWFM. TWS.

560. MOORE, EDWIN WARD, 1810-1865, and others.

. . . To the People of Texas [by E. W. Moore, in two columns, followed by "To the Public" by James Morgan, defending Moore, in three columns, and "Proceedings of a Public Din-

ner given to Com. E. W. Moore, and Officers, Texas Navy," etc., in three columns.]

[Galveston: Printed at the Independent Chronicle Office. 1843.]

Broadsheet, both sides in four columns. 50 x 38 cm.

At head: Extra Independent [vignette] Chronicle. Vol. I. [motto] 2d Qta. No. 1. By Samuel Bangs, City of Galveston, August 1, 1843 Ed. Pub. & Proprietor.

For the background of the controversy between Moore and President Houston regarding Moore's command of the Texas Navy, see the note to the preceding entry for Moore's *To the People of Texas*.

The first address on the broadsheet, again "To the People of Texas," is a reply to President Houston's proclamation made public May 6, which, says Moore here, made charges against him "of disobedience and insubordination, of treachery, mutiny and piracy." The address which follows, "To the Public," by James Morgan, one of the commissioners sent by President Houston early in 1843 to Moore at New Orleans, has high praise for Moore's recent naval victories over the Mexicans and a defense of Moore on the Houston charges, and of himself for assenting to Moore's taking the Texas Navy from New Orleans to the Mexican coast, instead of returning forthwith to Galveston. At the end is a full account of the public dinner given to Moore and his officers by the citizens of Galveston on July 28.

LOCATIONS: MWA.

561. MORGAN, JAMES, 1786-1866.

To the Public. [Defense of Commodore E. W. Moore, and of himself. Text begins:] As the late procedure of Commodore Moore with the Texian Vessels of War under his command has given rise to much speculation . . . it is expected of me to enter into some explanation with regard to my course of conduct, as an actor in this drama. . . . [Signed and dated on p. 4:] James Morgan, New Washington, Galveston Bay, 16th July, 1843.

[At end:] Telegraph Office—Houston. [1843.]

4-page folder printed on all [4] pages, in double columns. 24.7 x 21 cm.

The text of this broadside, "To the Public," signed at the end, James Morgan, New Washington, Galveston Bay, 16th July, 1843, is the same as that given in the broadsheet described in the preceding entry, No. 560 here. See the note to that entry for comment on the text.

LOCATIONS: TxGR (printed on blue paper).

562. [MORRILL, AMOS, 1809-1884.]

Argument of Appellant's Attorney, in the case of The Republic of Texas, vs. Abraham Skidmore. Appeal from the District Court of Red River at the Spring Term, 1842.

Clarksville: Printed at the Standard Office. 1843.

7 p. 24 cm.

Skidmore had come to Texas in February, 1836, and stayed only until June. He returned with his family in 1839 and claimed a league and labor of land for having been a resident of Texas at the time of the Declaration of Independence. The Board of Land Commissioners had rejected his claim, but a jury in the lower court had upheld it, the issue being whether Skidmore had established a bona fide residence in 1836. Morrill, representing the Texan government, made an interesting argument for reversing the decision, saying, "What did Skidmore do for Texas? If he is entitled to a league and labor of land, by what system of arithmetic can we estimate the quantity which should be given to those who have always been ready to defend this land which he deserted?"

Miss Friend of the Barker Texas History Center writes me that this case was heard three times in the lower court, with a decision each time in favor of Skidmore. The first two lower court decisions were overruled by the Supreme Court and the case remanded to the lower court for a new trial, but the third time, in 1849, new evidence having been presented, the lower court decision was affirmed. Dallam, in his *Digest of the Laws of Texas . . . together with the Opinions of the Supreme Court*, Baltimore, 1845, gives on p. 581-584 the opinion of the Supreme Court against the Skidmore claim delivered in the June Term, 1844, probably the second time the case reached the upper court.

There is a sketch of Morrill in the *Handbook of Texas*.

LOCATIONS: Tx.

563. NORTHERN STANDARD, *Clarksville*.

[Extra of January 21, 1843, giving a report of the proceedings of the Seventh Congress, dated from Washington, Texas, January 5, 1843.]

[Clarksville: Printed at the Northern Standard Office. 1843.]

No copy located, but the text is reprinted in the regular issue of the *Northern Standard* for January 28, 1843.

564. NORTHERN STANDARD, *Clarksville*.

[Extra of August 3, 1843, containing, according to a reply, "foul slanders . . . against Col. Snively."]

[Clarksville: Printed at the Northern Standard Office. 1843.]

No copy located, but the extra is referred to in a defense of Snively in the form of a letter addressed to the editor of the *Red-Lander* (San Augustine), dated Bois de 'Arc, August 30th, 1843, and signed by Thos. Waring, David Rice, Thos. Couzins and Beverly Vaughan, which was published in the *Red-Lander* of September 23, 1843.

565. NORTHERN STANDARD, *Clarksville*.

[Extra giving an account of "The Late Santa Fe Expedition."]

[Clarksville: Printed at the Northern Standard Office. 1843.]

No copy located, but the text is reprinted in the regular issue of the *Northern Standard* for September 14, 1843.

REPUBLIC OF TEXAS *vs.* SKIDMORE.

Argument of Appellant's Attorney . . . 1843. See [Morrill, Amos], No. 562 here.

TEULON, GEORGE KNIGHT.

Prospectus of the Western Advocate . . . February 4th, 1843.
See Western Advocate, *Austin*, No. 578 here.

566. TEXAS (*republic*). CONGRESS (*Seventh, called and regular sessions*). HOUSE.

Journals of the House of Representatives of the Seventh Congress of the Republic of Texas. Convened at Washington, on the 14th Nov., 1842. Published by Authority.

Washington; Thomas Johnson, Public Printer—Ferry Street. 1843.

285 p., verso blank, blank leaf. 20.6 cm.

Errors in pagination not affecting total.

The *Journals* record the proceedings of both the called and the regular session of this Congress. The first assembled on November 14, 1842, but there was no quorum until November 24. The regular session assembled December 7 and adjourned *sine die* on January 16, 1843.

Sabin 94965, *note*.

LOCATIONS: CU-B. NN. Tx. TxU. TxWFM. WHi. TWS.

567. TEXAS (*republic*). CONGRESS (*Seventh, called and regular sessions*). HOUSE.

Appendix to the Journals of the House of Representatives: Seventh Congress.

Printed at the Vindicator Office [Washington. 1843.]

77 p., verso blank, blank leaf. 22 cm.

This, the second appendix thus far published to the Journals of the House, like its predecessor, the *Appendix to the Journals . . . Fifth Congress*, No. 456 here, is an indispensable source for the history of this period. Only two of the reports printed here, the Opinion of the

Attorney General in reference to the Cherokee Lands, No. 524 here, and the Report of the Acting Secretary of War and Marine, No. 533 here, are known to have been published separately. This Appendix also contains field reports of the Army submitted to the President on December 14, 1842, p. [3]-29, which give important source material on the capture and occupation of San Antonio in September, 1842; Report of the Post Office Bureau, p. 38-44; Report of the Treasury Department, dated Nov. 1st, 1842, p. 53-73; Report of the Committee on Finance, dated Dec'r 21, 1842, p. 74-76; and Report . . . Concerning Divorces, dated January 2, 1843, p. 77.

Sabin 94965, *note*.

LOCATIONS: CU-B. NN. Tx. TxU. TxWFM. WHi. TWS.

568. TEXAS (*republic*). CONGRESS (*Seventh, called and regular sessions*). SENATE.

Journals of the Senate of the Seventh Congress of the Republic of Texas, Convened at Washington on the 14th Nov., 1842. Published by Authority.

Washington: Thomas Johnson, Public Printer—Ferry Street. 1843.

136 p. 20.6 cm.

This is a journal of both the called and the regular session. It does not record the adjournment of the called session *sine die* or the assembling of the regular session, but records the adjournment *sine die* of the regular session on January 16, 1843. A quorum for the called session is recorded for the first time on November 30.

Sabin 94970, *note*.

LOCATIONS: CU-B. Tx. TxU. TxWFM. WHi. TWS.

569. TEXAS (*republic*). CONGRESS (*Eighth*). HOUSE.

Standing Rules for Conducting Business in the House of Representatives of the Republic of Texas.

Washington: Printed by Thomas Johnson. 1843.

12 p. 22 cm.

These rules were adopted by the House on December 14, 1843, and on February 1, 1844, the Committee on Public Printing reported that 100 copies had been printed on December 29, 1843. Committees were appointed by the House on December 21, and the Senate on December 20 to revise the joint rules, but no final action on this is recorded and the seventeen "Joint Rules and Orders of the Two Houses" are the same as in the 1838 edition of the *Standing Rules*, No. 262 here. There are seventy-six standing rules here as against seventy-seven in the 1838 edition, rule three of the 1838 edition having been omitted. This rule three was first omitted by the House of the Sixth Congress, as stated in the note to No. 460 here.

LOCATIONS: NcU (Southern Pamphlets).

570. TEXAS (*republic*). LAWS.

Laws Passed by the Seventh Congress of the Republic of Texas.

Houston: Telegraph Office. 1843.

42 p.; index, iv p.; Abstract of Private Acts and Joint Resolutions, ii p.; two proclamations re import duties on French wines, and free persons of color [2] p.; proclamations promulgating treaties, etc., xxvii p., verso blank, blank leaf. 20.1 cm.

There are copies in which p. xxv is misnumbered xxiv, and others in which pp. xxvi and xxvii are misnumbered xxv and xxvi.

The treaties given at the end are: the Treaty of Commerce and Navigation with Great Britain, signed November 13, 1840; the Convention with Great Britain relating to mediation by Great Britain between Texas and Mexico, signed November 14, 1840; the treaty with Great Britain for the suppression of the African slave trade, signed November 16, 1840; and the Treaty of Amity, Commerce and Navigation with the Netherlands, signed September 18, 1840. The two treaties with Great Britain were proclaimed by President Houston on September 16, 1842, and the treaty with the Netherlands on January 4, 1843.

For the Gammel reprinting of these laws see the note to the following entry.

Sabin 95000, *note*.

LOCATIONS: CU-B. CtY. DLC. MH-L. TxU. TWS. Also 8 others.

571. TEXAS (*republic*). LAWS.

Laws Passed by the Seventh Congress of the Republic of Texas. Published by Authority.

Washington: Thomas Johnson, Public Printer—Ferry Street. 1843.

50 p. (p. 50 misnumbered 48); index, iv p.; Abstract of Private Acts and Joint Resolutions, iii p.; two proclamations re free persons of color and import duties on French wines [2] p.; proclamations promulgating treaties, etc., xxxiii p. 21.3 cm.

In some copies p. 49 is misnumbered 43.

The contents of this issue are the same as those of the previous or Houston *Telegraph* issue, and in the same order. This Thomas Johnson issue is given in a page-for-page reprint, except for the omission of the printer's name and address from the imprint on the title page, in Gammel, Vol. II, p. [821]-912.

The *Telegraph and Texas Register* of Houston for March 15, 1843, comments, "The *honest* Judge [this is a reference to Thomas Johnson, who was also a judge] has just published the laws of the seventh Congress, and he charges for a copy, the exorbitant price of \$2.00, although they are in pamphlet form and contain only 100 pages! The laws which we sell at \$5.00 contain 1300 pages [this for the various sessions] and if we charged according to the rates of the modest Judge, our copy would cost \$26.00!"

Raines, p. 230. Sabin 95000, *note*.

LOCATIONS: CU-B. CtY. DLC. MH-L. NN. Tx. TxU. TWS. Also 20 others.

572. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

... By the President of the Republic of Texas. A Proclamation [of an Armistice with Mexico. Text begins:] Whereas an official communication has been received . . . from Her Britannic Majesty's Charge d'Affaires . . . announcing to this Government the fact that the President of Mexico would forthwith order a cessation of hostilities . . . [Dated at end, Washington, June 15, 1843, and signed:] Sam. Houston. By the President: Anson Jones, Secretary of State.

[Washington: Printed at the National Vindicator Office. 1843.]

Broadside. 20.7 x 12.5 cm.

At head: Vindicator—Extra.

The proclamation states that Texas had been officially advised by the British Chargé d'Affaires at Texas that Mexico would order a cessation of hostilities. President Houston therefore orders what he characterizes as an armistice, which will continue while negotiations for peace are pending between the two countries and until due notice of an intention to resume hostilities has been formally announced through the British Chargé d'Affaires at the respective governments. This was followed in September, 1843, by Houston's appointment of two commissioners to arrange with commissioners from Mexico for "preliminary articles for the formation of an armistice" (see *Texian Democrat*, Extra of May 10, 1844, No. 612 here).

The proclamation is printed in the *Writings of Sam Houston*, Vol. III, p. 409-410.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2).

573. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

By the President of the Republic of Texas. A Proclamation. [Ordering Congress to assemble in annual session on December fourth, next, at Washington, instead of at Austin, peace with Mexico not yet having been established, and the latter city being situated upon "the extreme frontier." Dated at end, Washington, Nov. 4, 1843, and signed:] Sam. Houston. By the President, Anson Jones, Secretary of State.

[Washington: Printed at the National Vindicator Office. 1843.]

4-page folder printed on page [1]. 25.5 x 19.5 cm.

This proclamation is printed in the *Writings of Sam Houston*, Vol. III, p. 441-442.

LOCATIONS: Tx. TxU.

574. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

[Message, dated Washington, Texas, Jan. 4, 1843, in reply to a Resolution of the House of Jan. 3, "requesting information, as to what steps have been taken for the removal of the public archives."]

[Washington: Printed at the Texian and Brazos Farmer Office. 1843.]

The Message tells of the effective resistance of an armed mob on December 30, 1842, to the removal of the archives from Austin, which had been ordered by the President. The Message is printed in full in the *Writings of Sam Houston*, Vol. III, p. 262-267.

No copy located, but it is printed in the House Journal for Jan. 5, 1843, when 500 copies were ordered printed. That number was charged for by Thomas Johnson (Ms. bill, Archives, Texas State Library).

575. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

Message of the President of the Republic of Texas. Published by Authority.

Washington. Thomas Johnson, Public Printer—Ferry Street. 1843.

16 p. 22.5 cm.

This annual Message was delivered personally by President Houston at a joint session of the Eighth Congress held on December 13, 1843. On the same day the House ordered 1,000 copies printed, and the Senate 250 copies. The Message begins with comment, quite different from that of Houston's previous messages, "upon the present promising aspect of our affairs. Abroad, we are at peace with all the world; at home, plenty fills the land. Our population is increasing, and our settlements rapidly extending."

The Message is printed in the *Journals ... House ... Eighth Congress*, p. 13-28, and in the *Writings of Sam Houston*, Vol. III, p. 459-474.

LOCATIONS: NcU (Southern Pamphlets). TxU (lacks p. 9-16).

576. TEXAS (*republic*). TREASURY DEPARTMENT.

Circular. [Dated:] Treasury Department. Washington, May 12, 1843. To Sheriffs: [Deals with the sale of property in

satisfaction of the direct tax under the law, approved February 5, 1842, and urges the prompt return of monies collected. Signed:] James B. Shaw, Act'g Sec'y, &c.

[Washington: Printed at the Texian and Brazos Farmer Office. 1843.]

4-page folder printed on page [1]. 15.7 x 9.2 cm.

LOCATIONS: Tx.

577. TEXAS (*republic*). TREASURY DEPARTMENT.

Report of the Secretary of the Treasury.

Printed at the Vindicator Office. Washington [Texas]. [1843.]

20 p. 19.5 cm.

This report on one page of text followed by various statistical tables is dated at the beginning, Treasury Department, Washington, Dec. 4th, 1843, and signed at the foot of the page, J. B. Miller, Secretary of Treasury. The tables are for various periods of the year ending October 31, 1843.

Miller (died 1854) came to Texas in 1829 from Kentucky and played an important part in the affairs of the Republic, being the first political chief of the Department of the Brazos and Secretary of the Treasury in Houston's second term. Though when he came to Texas he practiced as a physician, in 1843 he was made Chief Justice of Fort Bend County. In the Convention of 1845 he was Chairman of the Special Committee on Finance.

The House Journal of the Eighth Congress for December 15, 1843, p. 35-36, has a report as to the documents attached to the Secretary's report which should be printed and on the costs of printing from 500 to 1,500 copies of the reports. It recommends that certain documents be omitted and that 1,000 copies of the resulting report should be printed, the printing cost being \$100. The Journal states that the report was adopted.

Sabin 95054.

LOCATIONS: NcU (Southern Pamphlets). TxH. TxWFM.

VINDICATOR—Extra. See Texas (*republic*). President, 1841-1844 (*Samuel Houston*), No. 572 here.

578. WESTERN ADVOCATE, *Austin*.

Prospectus of the Western Advocate. [Plea for subscriptions to a newspaper to be published fortnightly at Austin in the interests of the western portion of Texas and the protection of that section against the "violent and lawless" actions of the President. Text begins:] The undersigned proposes to publish during the ensuing year, *in the City of Austin*, a Newspaper, to be styled "THE WESTERN ADVOCATE." [Signed and dated at end:] George K. Teulon. Austin, February 4th, 1843.

[Austin: Printed at the Western Advocate Office. 1843.]

Broadside, text in two columns, followed by blanks for Subscribers' Names, No. of Papers, Post Office, Kind of Payment, Place where the Produce will be deposited. 42.7 x 27.2 cm.

A note in the *Handbook of Texas* records that the *Western Advocate*, incorrectly referred to there as a semi-weekly instead of as a biweekly, was a continuation of the *Austin City Gazette* and was edited by Teulon from February 18, 1843, to July, 1843, and was revived in September, 1843, to continue until February, 1844. I know of only three surviving issues, those for April 1 and 15, and June 24, 1843.

Teulon seems to have arrived in Texas in 1839, to have been a friend of Lamar's, and was an editor of the *Austin City Gazette* in July 1841 (*Lamar Papers*, Vol. V, p. 288, 301, 503, Vol. III, p. 545). There are references to him in the *Houston Morning Star* for August 26, 1841, in which shady activities in England and Canada are alleged.

It appears from Vol. I of the *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, that Teulon was Grand Secretary of the Grand Lodge of Texas from January, 1841, to January, 1844, and in its *Proceedings* for January, 1843 is a report by him of a visit the previous year to the Masonic Lodges in England. A note in the *Writings of Sam Houston*, Vol. III, p. 532, incorrectly speaks of Teulon as being in January, 1844, editor of the *Austin City and State Gazette*. On p. 243 of Vol. I of the *Proceedings of the Grand Lodge* there is a record of Teulon's death in India on April 28, 1846. There is no sketch of him in the *Handbook of Texas*.

LOCATIONS: TxU.

579. WOOD, A. H., *Trustee*.

Trust Sale. [Announcement of sale of "the Printing Press, Type, Furniture, and all the Materials now on hand in the Office of the 'National Vindicator,' formerly the Texian & Brazos Farmer," which were sold by G. H. Harrison to Thomas Johnson. Signed and dated at end:] A. H. Wood, Trustee. June 15th, 1843.

[Washington: Printed at the National Vindicator Office. 1843.]

Broadside. 21.5 x 23 cm.

The sale was to secure the payment of a note of \$700, on which \$650 was still due. This notice was also printed in the *Telegraph and Texas Register*, June 21, 1843, where the sale is advertised for July 22d. In the copy from which my entry was made the date of the sale has been changed to August 2nd by the addition of slips with manuscript corrections. Notwithstanding these notices of sale, the November 25, 1843, issue of the *Vindicator*, the earliest issue I have been able to locate after those of July, 1843, has on the masthead, "Thomas Johnson . . . Editor and Proprietor," and in the *Red-Lander* for November 2, 1844, there is a reference to Johnson as then editor of the *Vindicator*.

LOCATIONS: Privately owned. Photostat in TWS.

1844

580. ALLEN, [EBENEZER? d. 1863].

. . . Jesse Carr, by David A. Monaghan His Guardian—Appellant. vs. William Wellborn—Appellee. Allen, for Appellant. Brief.

[Washington: Printed at the National Vindicator Office. 1844.]

15 p. 20 cm.

Caption title, with heading: Republic of Texas. Supreme Court—Summer Term, 1844, at Washington. Appeal from the District Court for Red River County.

Ebenezer Allen seems to be the only Allen of this period in Texas who was well known as a lawyer and he is almost certainly the author of this brief and of the one which follows. A sketch of him in the *Writings of Sam Houston*, Vol. IV, p. 389, says that he arrived in Texas in the early days of the republic. He was an able and successful lawyer, who served as attorney general under Anson Jones and performed also the duties of secretary of state.

This brief is on the interesting point of law as to the extent to which suits may be brought in Texas on judgments from foreign jurisdictions.

LOCATIONS: TWS.

581. ALLEN, [EBENEZER? d. 1863].

. . . Wesley Byers, Appellant, vs. Massack H. Janes & Als. Allen, for Appellant. Brief.

[Washington? Printed at the National Vindicator Office? 1844.]

9 p. 19.6 cm.

Caption title, with heading: Republic of Texas, Supreme Court, Summer Term, 1844, at Washington; Appeal from the District Court for Bowie County.

The issue in this proceeding was the title to land in Bowie County on the Red River, which had been settled by Wesley Byers previous to 1830, in what had been Wavel's colony. In the early days of the republic this land was in Red River County, but owing to the dispute as to the boundary between the United States and Texas, Byers had been prevented from locating land under his certificate.

This brief is of historical importance on account of its contemporary discussion and historical résumé of the boundary question and of the operations of the Texas land office in this part of the republic.

For Allen, see note to the preceding entry.

LOCATIONS: TWS.

582. BAPTISTS, *Texas*. UNION BAPTIST ASSOCIATION.

Minutes of the Fourth Anniversary Meeting of the Union Baptist Association, convened at Providence Church, Washington County, October 6, 1843, and days following.

Washington: Printed by Thomas Johnson. 1844.
8 p., folding table. 22 cm.

This was an important meeting as a report was adopted revising the "Articles of Faith, Bill of Rights and Constitution of the Union Baptist Association." Two articles were added to the "Rules of Decorum," and the "Bill of Inalienable Rights" adopted at the first meeting was dropped. W. M. Tryon and R. E. B. Baylor, whose biographies are referred to in the note to the entry for the first meeting, No. 379 here, were re-elected Moderator and Corresponding Secretary. Eleven of the fourteen churches in the Association were represented at the meeting.

For a general note on the Association see the note to the first meeting, No. 379 here.

LOCATIONS: TxFwSB.

583. BAPTISTS, *Texas*. UNION BAPTIST ASSOCIATION.

Minutes of the Fifth Anniversary Meeting of the Union Baptist Association, convened at Plum-Grove Church, Fayette County, Texas, August 29th, 1844, and days following.

Washington: Printed at the Vindicator Office. 1844.
13 p., 1 leaf (table). 21 cm.

Here the Minutes, p. [3]-5, are followed, p. 6, by a report of a committee of which R. E. B. Baylor was chairman, regarding the organization of churches, and on p. 7-9 by a report of a committee, also headed by Baylor, setting forth sixteen "Articles of Faith." These were unanimously adopted. At the end, p. 10-13, is W. M. Tryon's "Circular Letter." Tryon and Baylor were re-elected as Moderator and Corresponding Secretary. The table at the end shows that thirteen of the fifteen churches in the Association were represented at the meeting.

For a general note on this association see the note to the first meeting, No. 379 here.

LOCATIONS: TxFwSB.

584. BRAZORIA COUNTY. CITIZENS.

... [A summary of the proceedings of a meeting on annexation held at Brazoria on December 21, 1844, with a report, in-

cluding the text of seventeen resolutions adopted, signed at end by:] Branch T. Archer, Chairman, [and four Secretaries]. [Columbia: Printed at the Planter Office. 1844.]

Broadside in three columns. 54.8 x 22.5 cm.

At head: Supplement of The Planter. Monday Morning, Dec. 23, The moving spirits behind this meeting favoring annexation seem to have been Branch T. Archer, E. M. Pease and Thomas Jefferson Green. The resolutions criticize "the apparent opposition of the late Executive," that is, Houston, to annexation which is vigorously favored in the seventeen resolutions.

LOCATIONS: TWS.

BYERS *vs.* JANES.

... Allen, for Appellant. Brief. [1844]. *See* Allen, [Ebenezer?], No. 581 here.

CARR *vs.* WELLBORN.

... Allen, for Appellant. Brief. [1844]. *See* Allen, [Ebenezer?], No. 580 here.

585. CASTRO, HENRY, 1786-1865.

The Memorial of Henry Castro, to the Honorable the Senators and Representatives, of the Republic of Texas, in Congress Assembled.

Printed at the Texas National Register Office. [Washington. 1844.]

11 p. 21.5 cm.

This Memorial includes two reports by Castro to President Sam Houston, the first dated Galveston June, 1844, p. [3]-8, and the second dated Castroville October, 1844, p. 8-10. There follows a petition by Castro that his contract be extended. This is the first separate printing which has come down to us giving any account of Castro's Texas colony, the first settlement west of San Antonio and one of the most colorful of the Texas colonization projects of the 1840's. The

date 1844 is inferred from the fact that the act granting an extension of time to Castro passed the House December 31, 1844. Presumably the Memorial had been printed by that time.

Under authority of an amendment of February 5, 1842, to an earlier colonization act of February 4, 1841, two grants were made to Castro on February 15, 1842, and grants were likewise made to C. F. Mercer and others, as shown by entries in Part III here. One of the February 15, 1842, grants to Castro was on the Rio Grande River and was never settled by him. The other which Castro colonized was a large area west of San Antonio in what in 1871 were parts of Medina, Uvalde, Frio, Atacoso, Bexar, McMullen, Lasalle and Zavala counties.

Castro's letter of June, 1844, from Galveston is a very skillful effort. It emphasizes his success in rounding up colonists in Europe—he proudly states that so far he had sent to Texas seven ships with 700 people—notwithstanding the two Mexican raids of 1842, and politely points out that putting his colonists in possession of their lands had been delayed by circumstances beyond his control. He closes by asking the government to aid him in taking this possession by giving his colonists protection. His second letter from Castroville of October, 1844, tells of the founding of the town and asks for a three-year extension of his contract. There was so much justice in Castro's claims and he handled his affairs so well before Congress that the extension act became a law on January 27, 1845.

LOCATIONS: Tx. TxH.

586. [DALLAM, JAMES WILMER, 1818-1847.]

A Brief Compilation of the Laws of the Republic of Texas, together with a View of Their Connection with the Principles of the Common Law. By a Member of the Bar. (Copyright Secured.)

Matagorda: James Attwell, Printer and Publisher. 1844.

4-page folder printed on page [1]. 25.5 x 20.2 cm.

Prospectus, dated and signed at end: Matagorda, 1844. J.W.D.

The work, of which this was a prospectus, was published in 1845 in Baltimore under the title, *A Digest of the Laws of Texas: containing a Full and Complete Compilation of the Land Laws; together with the Opinions of the Supreme Court. By James Wilmer Dallam of Matagorda, Texas*, and is entered here in Part III. On blank p. [3] of

my copy of the prospectus there is in manuscript a letter from Dallam dated August 24, 1844, in which he calls the attention of his correspondent to the book and solicits subscriptions at \$10 a copy.

The sketch of Dallam in the *Handbook of Texas* shows that Dallam, who graduated from Brown in 1837 and studied law in Baltimore under Reverdy Johnson before moving to Texas in 1839, was a very able person. Another work by Dallam entered here in Part III is his novel, *The Lone Star: a Tale of Texas*, Baltimore, 1845.

LOCATIONS: TxU. TWS.

FLOYD vs. LEVENHAGEN.

Argument of Judge A. P. Thompson . . . for the defendant . . . [1844]. See Thompson, Algernon P., No. 613 here.

587. FREEMASONS, *Texas*. GRAND LODGE.

Proceedings of the Grand Lodge of Texas, at Its Seventh Grand Annual Communication. Ordered to be read in the several Lodges within the Republic of Texas.

Washington: Printed at the Vindicator Office. MDCCCXLIV.
30 p., blank leaf. 21.5 cm.

The sessions of this meeting of the Grand Lodge were held at Washington, Texas. They opened on January 8 and closed on January 28, 1844. The proceedings are given in the *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, Vol. I, p. 131-149.

LOCATIONS: DSC. MBFM. NNFM. PHi. PPFM. TxWFM.

588. GALVESTON VOLUNTEER BATTALION.

Head Quarters Galveston Volunteer Battalion, Camp at Saccharapp, April, 18, 1844. [Invitation "to meet a soldier's greeting, and partake of soldiers' fare" at the encampment, at three the following afternoon. Blanks at end for the signature of the Major Commanding, and for the countersign and the parole.]

[Galveston. 1844.]

4-page folder printed on page [4]. 19.4 x 12.7 cm.

The copy at the Texas State Library is signed in manuscript by C. G. Bryant as the Major Commanding, with "San Jacinto" filled in as the countersign, and "Lone Star" as the parole. It is addressed to "Gen M. B. Lamar" and printed in full in the *Lamar Papers*, No. 2170a, Vol. V, p. 511. An invitation, identical except for the date, April 18, 1840, is entered in the *Lamar Papers*, No. 1778, Vol. III, p. 375. That copy was missing at the Texas State Library in November, 1953, and may well be the present one, first entered under the wrong year.

LOCATIONS: TX.

589. GREEN, A. M.

To the Public. [Notice claiming that Genl. Wm. S. Murphy, Chargé of the U. S. in Texas, had failed to give Green any satisfaction in reply to a letter from the latter inquiring about an alleged slander. Text begins:] Genl. Murphy having . . . in the presence of several gentlemen . . . spoken of me in terms which he knew . . . to be utterly false . . . [At end:] I am left no other alternative than to proclaim him . . . a most gross and infamous Slanderer, Liar and Cowardly Scoundrel. A. M. Green, Consul U. S. at Galveston. Galveston, May 21, 1844. [Galveston: Printed at the Office of the News. 1844.]

Broadside. 31.5 x 17.5 cm.

The slander was to the effect that Green had been "connected with some dishonorable transactions with the Bank of Virginia [and that] in consequence of these transactions, I dared not return to Virginia." Justin Smith in his *Annexation of Texas*, New York, 1919, p. 361, quotes a reference to Murphy as a "silly old man," and at about this time, his recess appointment having failed confirmation by the United States Senate, he was recalled. There is a sketch of Murphy in the *Dictionary of American Biography*.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2).

PLANTER, supplement, Monday Morning, Dec. 23 [1844]. See Brazoria County. Citizens, No. 584 here.

REPUBLIC OF TEXAS *vs.* ROBERTSON.

... G. W. Terrell, for Appellant. Brief. ... [1844]. *See* Terrell, George W., No. 591 here.

590. TELEGRAPH AND TEXAS REGISTER, *Houston*.

[Extra "headed 'Glorious News—Annexation,' in which it [was] stated that 'The Senate of the United States [had] almost unanimously ratified a treaty for the annexation of Texas to the United States.'"]

[Houston: Printed at the Telegraph Office. 1844.]

No copy located, but the extra is referred to in the *Weekly Despatch* (Matagorda) of March 2, 1844.

591. TERRELL, GEORGE WHITFIELD, 1803-1846.

... Republic of Texas—Appellant. *vs.* Sterling C. Robertson—Appellee. G. W. Terrell, for Appellant. Brief. Republic of Texas, *vs.* Sterling C. Robertson Empresario Case. [Washington: Printed at the National Vindicator Office. 1844.]

17 p. 20.1 cm.

Caption title, with heading: Republic of Texas. Supreme Court—Summer Term, 1844, at Washington. Appeal from the District Court for Travis County.

This brief is of considerable importance as it gives an extended contemporary account of the Leftwich-Robertson-Nashville Company land grant, a subject to which Mr. Barker devoted a long chapter in his *Life of Austin*. For a brief note on Terrell see No. 524 here.

LOCATIONS: TWS.

592. TEXAS (*republic*). CONGRESS (*Eighth*). JOINT NAVAL COMMITTEE ON THE MEMORIAL OF POST CAPTAIN E. W. MOORE.

[Report of the Majority of the Joint Naval Committee on the Memorial of Post Captain E. W. Moore.]

[Washington: Printed at the National Vindicator Office.
1844.]

[16 p.]

No copy located, but Thomas Johnson entered a charge for printing 100 copies of this report under date of January 29, 1844 (Ms. bill, Archives, Texas State Library). It is printed in the House Journal, Eighth Congress, on p. 348-361. Signed at the end by John Rugely and five others, the report lists eight charges against Moore, which it discusses in order, and holds Moore guiltless on each charge. It recommends a resolution granting Moore a trial by court martial. The entry for the minority report follows.

593. TEXAS (*republic*). CONGRESS (*Eighth*). JOINT NAVAL COMMITTEE ON THE MEMORIAL OF POST CAPTAIN E. W. MOORE.

Report of the Minority of the Joint Naval Committee on the Memorial of Post Captain E. W. Moore.

[Washington: Printed at the National Vindicator Office.
1844.]

4 p. 22 cm.

Caption title.

This minority report, dated at the beginning, Committee Room, Washington, January 26th, 1844, and signed at the end by R. M. Collins and three other members of the committee, is critical of Moore, but says that he is entitled to a court martial. At the end is a "Joint Resolution for the Relief of E. W. Moore." The House Journal, Eighth Congress, p. 385, records an order to print 100 copies.

LOCATIONS: NcU (Southern Pamphlets).

594. TEXAS (*republic*). CONGRESS (*Eighth*). HOUSE.

Journals of the House of Representatives of the Eighth Congress of the Republic of Texas. Published by Authority.

Houston: Cruger & Moore—Public Printers—Main Street
1844.

472 p. 20.2 cm.

The House assembled at Washington in regular annual session on December 4, 1843, and adjourned *sine die* on February 5, 1844.

The printers' charge of May 25, 1844 (Ms. bill, Archives, Texas State Library), was for 300 copies, although on December 7, 1853, their successor certified that 500 copies had been delivered.

Sabin 94965, *note*.

LOCATIONS: DLC. Tx. TxU. TWS.

595. TEXAS (*republic*). CONGRESS (*Eighth*). HOUSE. COMMITTEE . . . TO EXAMINE THE RECORDS . . . OF THE GENERAL LAND OFFICE.

Report of the Committee Appointed to Examine into the Condition of the Records and Archives of the General Land Office.

Washington: Printed by Thomas Johnson. 1844.

14 p. 19 cm.

President Houston's *Message* of January 4, 1843, No. 574 here, tells of the effective resistance of the citizens of Austin to an attempt by the government at that time to move the archives to a safer place. The archives having remained in Austin in the possession of a group of citizens, this report, dated at the beginning, Washington, 22d January, 1844, but unsigned here, tells the status and condition of the archives in January, 1844, a year later, and of their delivery at that time to the General Land Office. In the House Journal of the Eighth Congress, p. 281-286, this report is printed in much more complete form and signed at the end by F. W. Ogden and J. J. H. Grammont. This reprinting gives for the first time a report on the conduct, referred to below, of T. W. Ward. Various other documents, as well as the two which accompany the separate report, are printed in the Journal on p. 286-300.

In the process of examining the archives, a violent dispute arose between Messrs. Ogden and Grammont on the one hand, and Thomas William Ward, the Commissioner, on the other, on what seems now to have been a trifling matter, and Ward had the committee held temporarily for feloniously retaining a document. This was followed by his abusive, *Card*, No. 614 here, calling Ogden and Grammont "liars and scoundrels."

There was quite a controversy over the printing of this report. On

January 22, 1844, the printing of 250 copies was ordered (House Journal, Eighth Congress, p. 301), but the next day the vote was reconsidered and the question of printing referred to a select committee (Journal, p. 308). Finally on January 30 this committee made a report, approved by the House, that 250 copies of only certain parts of the committee report be printed (Journal, p. 389).

LOCATIONS: NcU (Southern Pamphlets). TxH. TxWFM.

596. TEXAS (*republic*). CONGRESS (*Eighth*). SENATE.

Journals of the Senate. Eighth Congress of the Republic of Texas. Published by Authority.

Houston: Cruger & Moore—Public Printers—Main Street. 1844.

245 p., verso blank, blank leaf. 20 cm.

The Senate assembled at Washington, no quorum, on December 4, 1843, and adjourned *sine die* on February 5, 1844.

Sabin 94970, *note*.

LOCATIONS: DLC. ICU. Tx. TxU. TxWFM. WHi. TWS.

597. TEXAS (*republic*). CONGRESS (*Eighth*). SENATE.

[Proceedings of the Senate in Secret Session, in regard to the Sale of the Navy.]

[Washington: Printed at the National Vindicator Office. 1844.]

No copy located, but on January 13, 1844, the Secretary of the Senate acknowledged receipt of 500 copies printed by Thomas Johnson for the use of the Senate. The *Proceedings* may have included the report of G. W. Hill, Secretary of War and Marine, on the condition of the Navy printed in the *Secret Journals of the Senate, Republic of Texas, 1836-1845*, edited by E. W. Winkler, Austin, 1911, p. 285-287.

598. TEXAS (*republic*). CONGRESS (*Eighth*). SENATE.

[Rules for Conducting Business in the Senate.]

[Washington: Printed at the National Vindicator Office. 1844?]

No copy located, but on January 8, 1844, the chairman of the Senate committee on printing acknowledged receipt of 50 copies of these rules from Thomas Johnson (Ms. receipt, Archives, Texas State Library). For earlier printings of the rules of the Senate see No. 349 (1839), No. 264 (1838), and No. 199 (1837).

599. TEXAS (*republic*). DEPARTMENT OF WAR AND MARINE.

Report of the Acting Secretary of War and Marine.

[Washington:] Printed at the Vindicator Office. 1844.

12 p. 21 cm.

This report, addressed to President Houston, is dated at the beginning, Department of War and Marine, Washington, 30th Nov., 1844, and signed on p. 6, M. C. Hamilton, Acting Secretary. Documents A, B, and C are attached, Document A being a report by John C. Hayes, "Com'd'g S. W. Frontier," dated, San Antonio, June 16, 1844, of a successful engagement with Indians earlier in the month. For data on the printing of this report, see the note to the previous entry—*Annual Report of the Treasury Department*. This War and Marine report was reprinted in the *Appendix . . . Journals . . . Ninth Congress*, p. 28-34, plus a folding table. In this reprinting the title is "Annual Report of the Secretary of War and Marine" and not report of the "Acting" Secretary. For a short sketch of Hamilton see the note to No. 533 here.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2). TxH.

600. TEXAS (*republic*). DEPARTMENT OF WAR AND MARINE.

Report of the Secretary of War and Marine.

Washington: Printed by Thomas Johnson. 1844.

12 p. 21 cm.

This report is dated at the beginning, Department of War and Marine, Washington, 30th Nov. 1843, and signed on p. 8, G. W. Hill, Secretary of War and Marine. Various estimates follow on p. 9-12. Most of the report is taken up with charges against Commodore Moore for "various acts of contumacy and disobedience."

A resolution presented in the House January 19, 1844, to print 500 copies of this report was rejected (Journal, p. 260), and on January 22 a motion to print 150 copies was voted down (Journal, p. 301). Finally on January 27, by an amendment of a motion before the House, 100 copies were ordered printed (Journal, p. 362).

I have not run across any contemporary or modern reprinting of this report. Hill (1814-1860), a graduate in medicine from Transylvania University, came to Texas from Tennessee in 1836. He was Secretary of War and Marine under Sam Houston and Anson Jones, from January, 1843, until annexation.

LOCATIONS: NcU (Southern Pamphlets).

601. TEXAS (*republic*). GENERAL LAND OFFICE.

Report of the Commissioner of the General Land Office, to the 9th Congress of the Republic of Texas.

[Washington:] Printed at the Vindicator Office. 1844.

24 p. 20 cm.

This interesting and important report is dated at the beginning, General Land Office, Austin, Oct. 2d, 1844, and signed at the end, Thos. Wm. Ward. Ward characterizes the land laws as "a mass of incongruities" and recommends various changes and additions. The importance of correcting the present uncertainty as to county boundaries is urged. It is recommended that the Commissioner be authorized to have maps prepared of each county. Another recommendation is that the Commissioner be given possession of the records of the depopulated counties of Refugio, San Patricio, and Goliad.

Under a House resolution of December 4, 1844, 500 copies of the documents accompanying the President's *Message* were ordered printed, but the printer's charge of January 11, 1845, was for 460 copies (Ms. bill, Archives, Texas State Library). The report is reprinted in the *Appendix . . . Journals . . . Ninth Congress*, p. 47-64. For a general note on Ward see No. 534 here.

LOCATIONS: TxH.

602. TEXAS (*republic*). GENERAL POST OFFICE.

Report of the Chief Clerk of the General Post Office.

[Washington:] Printed at the Vindicator Office. 1844.

16 p. 19.5 cm.

By an act approved January 18, 1841, the Fifth Congress abolished the office of Postmaster-General and created in the state department a bureau known as "The General Post-Office." This was to be run by a clerk to be appointed by the secretary of state. This report, in one page of text followed by various statements, is dated at the beginning, Department of State, General Post Office, Washington, Dec. 2d, 1844, and signed, Dan J. Toler, and covers the operations of the General Post Office from October 1, 1843, to September 30, 1844.

This Toler report is quoted from extensively on p. 127-130 of an article by W. L. Newsom, "The Postal System of the Republic of Texas," in the *Southwestern Historical Quarterly* for October, 1916, Vol. XX, p. [103]-131, and is referred to there on p. 127 as "the most complete report, and in fact the only one in which the system of book-keeping is clearly comprehensible." The brief sketch of Toler in the *Handbook of Texas* says that he had been a partner of Dr. James Grant in Coahuila and was a member of the last legislature of Coahuila and Texas which was dispersed by Cós in 1835. It incorrectly says that in 1844 he became postmaster general, for as noted above that office was abolished in 1841.

As one of the documents accompanying the President's *Message*, 500 copies were ordered printed December 4, 1844, and the report is reprinted in the *Appendix . . . Journals . . . Ninth Congress*, p. 35-46.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2). TxH.

603. TEXAS (*republic*). LAWS.

Laws Passed by the Eighth Congress of the Republic of Texas.
Published by Authority.

Houston: Cruger & Moore—Public Printers—Main Street.
1844.

120 p.; blank leaf; Abstract of Private Acts and Joint Resolutions, [iii]-viii p.; index, vii p. 21.6 cm.

The *Telegraph and Texas Register* for April 10, 1844, has this comment:

The printing of the laws was completed on the 27th ult., within five days of the period designated in the contract of the public printers. They were delivered at the State Department on the 1st. inst. The index . . . will be printed in a few days and will be in readiness for distribution with the laws this week.

Cruger & Moore's bill of April 1, 1844, was for 2000 copies (Ms., Archives, Texas State Library).

These laws are given in a page-for-page reprint in Gammel, Vol. II, p. [913]-1046, except that in the Gammel reprint the Index precedes the Abstract of Private Acts and the imprint on the title page omits the name and address of the printer.

Raines, p. 231. Sabin 95000.

LOCATIONS: CU-B. CtY. DLC. MH-L. NN. Tx. TxU. TWS. Also 20 others.

604. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

Message of the President, in relation to the Cherokee Lands. [Washington: Printed at the National Vindicator Office. 1844.]

4 p. 23.5 cm.

Caption title.

This *Message* advocating "the entire repeal of all laws on the subject of the Cherokee Lands," and the repeal which was voted a few days later in an act approved January 27, 1844, marks the end of a chapter, so to speak, relating to the rich lands once held by the Cherokees in northeast Texas, which were granted to them by the treaty of February 23, 1836, made with the Cherokees by Houston and John Forbes, acting for the Provisional Government. For the earlier part of the story see President Houston's *Message on Indian Relations* of May 21, 1838, No. 288 here, his *Message* of November 19, 1838, No. 290 here, and President Lamar's *Letter . . . to Col. Bowles and Others*, No. 360 here. In this 1844 *Message*, President Houston calls attention to the fact that the law of February 1, 1840, authorizing the sectionizing and sale of the Cherokee Lands, and the law of July 23, 1843, authorizing the survey and sale of 400,000 acres of the lands have never been carried out.

The *Message*, dated, Executive Department, Washington, January 22d, 1844, was read in the House on January 24, 1844, and after considerable debate 500 copies were ordered printed. On February 5 Thomas Johnson billed the Senate for 300 copies (Ms., Archives, Texas State Library). It is reprinted in the *Journals . . . House . . . Eighth Congress*, p. 314-316, and in the *Writings of Sam Houston*, Vol. III, p. 524-527.

LOCATIONS: NcU (Southern Pamphlets).

605. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

[Message of the President Vetoing the Bill to Fix the Place for Holding Sessions of the Supreme Court.]

[Washington: Printed at the National Vindicator Office. 1844.]

The *Journals of the Senate. Eighth Congress* for January 24, 1844, print the Message, dated at the beginning, Executive Department, Washington, January 20th, 1844, at pages 159-162, and record (p. 162) that 300 copies were ordered printed. It was not printed in the *Writings of Sam Houston*.

No copy located.

606. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

... President Houston's Annual Message, to the Ninth Congress of the Reptblic [*sic*] of Texas.

[Washington: Printed at the Texas National Register Office. 1844.]

Broadside in three columns. 43.9 x 31.3 cm.

At head: Texas National Register—Extra. Washington, December 4, 1844.

This final message of Houston as President, dated, Executive Department, Washington, December 4th, 1844, is most cheerful—at peace in all but the name with Mexico—the finances of the country in a “most healthy and prosperous condition.” Houston comments that the total expenditures by his administration to November 1, 1844, have been \$460 thousand odd dollars and the receipts \$466 thousand odd dollars.

The message was reprinted in the House Journal, Ninth Congress, p. 10-16, and in the Senate Journal, p. 9-15, and also in the *Writings of Sam Houston*, Vol. IV, p. 392-398.

LOCATIONS: TxU (“Republic” for “Reptblic”). TWS (“Reptblic”).

607. — Another edition.

[Washington: Printed at the National Vindicator Office. 1844.]

No copy of this official edition printed by Thomas Johnson has been located, but on December 4 the House ordered 1500 copies of the

message and 500 copies of the accompanying documents printed, and on the next day the Senate ordered 500 copies of the message printed. On January 4, 1845, the Committee on Public Printing of the House reported that it had made a contract with Thomas Johnson for the printing of this message and other items.

608. TEXAS (*republic*). PRESIDENT, 1841-1844 (*Houston*).

[To "The Moderators and Regulators" of Shelby County. Proclamation dated at beginning, Executive Department, San Augustine, August 15, 1844, and signed, Sam Houston, ordering hostilities to cease, and commanding all citizens of the county "engaged therein to lay down their arms, and retire to their respective homes."]

[San Augustine? Printed at the Red-Lander Office? 1844.]

[Broadside?]

Mr. Winkler tells me that in a typed copy, now in the University of Texas Library, of a manuscript, *The History of the War between the Regulators and Moderators* by Dr. Levi Henderson Ashcroft, Dr. Ashcroft in referring to this proclamation, p. 120-121, says:

This little document was printed and couriers dispatched with copies to be delivered to the commanders, and distributed generally through the disaffected section.

By "commanders" Dr. Ashcroft undoubtedly meant the leading men of the two factions.

As President Houston was in San Augustine at this time, the proclamation was probably printed there on the press of the *Red-Lander*.

No separate printed copy located, but printed from manuscript in the *Writings of Sam Houston*, Vol. IV, p. 361.

609. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

[Message on the State of the Republic, dated, Washington, December 16, 1844, and signed, Anson Jones.]

[Washington: Printed at the National Vindicator Office. 1844.]

No copy located, but 1500 copies were ordered printed by the House, and 500 by the Senate, Dec. 18, 1844. The message was also printed in

both House and Senate Journals for December 18. See also House Journal for Jan. 4, 1845, for report on contract for its printing by Thomas Johnson.

610. TEXAS (*republic*). TREASURER.

[Report.]

[Washington: Printed at the National Vindicator Office. 1844.]

[52 p.]

No copy located, but 1000 copies charged for in Thomas Johnson's bill approved January 5, 1845 (Ms., Archives, Texas State Library).

611. TEXAS (*republic*). TREASURY DEPARTMENT.

Annual Report of the Treasury Department, to the 9th Congress of the Republic of Texas.

[Washington:] Printed at the Vindicator Office. 1844.

29 p., verso blank, blank leaf, 3 folding tables. 22.5 cm.

This report is addressed To His Excellency Sam Houston, President of the Republic of Texas. It is dated at the beginning, Treasury Department, Washington, December 1st, 1844, and signed on p. 4, J. B. Miller, Secretary of the Treasury. Eight statements follow. A House resolution of December 4, 1844, ordered the printing of 500 copies of the documents accompanying the President's message and the House Journal, Ninth Congress, records on p. 146, under date of January 4, 1845, a report of the Committee on Public Printing that they had contracted with Thomas Johnson for printing 500 copies of the documents. Presumably this report of the Secretary had already been printed when the committee report was made. The report, including the folding tables, is reprinted in the *Appendix . . . Journals . . . Ninth Congress*, p. [3]-27. For a sketch of Miller see the note to No. 577 here.

Sabin 95055.

LOCATIONS: TxH. TxWFM. TWS.

TEXAS (*republic*). WAR AND MARINE DEPARTMENT.

See Texas (*republic*). Department of War and Marine, Nos. 599 and 600 here.

TEXAS NATIONAL REGISTER—Extra. Washington, December 4, 1844. See *Texas (republic)*. President, 1841-1844 (*Houston*), No. 606 here.

612. *TEXIAN DEMOCRAT, Houston.*

Texian Democrat Office Houston, May 10, 1844. [Extra, with column of editorial comment at left and the following documents in a column at right: "Instructions. Department of War and Marine, Washington, 26th Sept. 1843. To Col. G. W. Hockley and Samuel M. Williams, Esq., Commissioners, &c." and "Copy of the *first rough sketch* of the proposed armistice," the correctness of both certified by "M.C. Hamilton, Acting Sec'y of War. Washington, 2d May, 1844."]

[Houston. 1844.]

Broadside in two columns. 60 x 22.5 cm.

On June 15, 1843, Houston, because of the efforts of the British government, had proclaimed an armistice with Mexico (see No. 572 here), though it was really but a suspension of hostilities with an actual armistice to be negotiated later. The instructions of September 26, 1843, printed in the extra of the *Texian Democrat* were to arrange for an actual armistice. These instructions were apparently not released until the following May, when the treaty of annexation between the United States and Texas was before the United States Senate. One of the terms of the draft of the armistice as published here was that the Mexican troops would remain on the south side of the Rio Grande and the Texan troops on the north side of the Nueces. The editorial in the *Texian Democrat* rejoices that there is nothing in the terms of the armistice by which it is admitted that Texas could be regarded as a department of Mexico.

The instructions and proposed armistice are reprinted in the *Lamar Papers*, No. 2156, Vol. IV, Part I, p. 23-25. The editorial comment, though listed as No. 2171, is not reprinted.

LOCATIONS: Tx.

613. *THOMPSON, ALGERNON P., 1818-1871.*

Elisha Floyd, vs. Henry Levenhagen, In the District Court of Harris County, at the Fall Term, A. D. 1844. Argument of

Judge A. P. Thompson, for the defendant, upon the constitutionality of the appointment of judges by the President.

[On recto of preliminary leaf:] Telegraph Print—Houston. [1844.]

Preliminary leaf, verso blank, 23 p. 20 cm.

Caption title on p. [1]. Introductory note on preliminary leaf dated Houston, 23rd November, 1844, and signed A. P. Thompson.

This is a finely expressed argument claiming that under the Texas Constitution only the Congress, on joint ballot of the two houses, had the power to elect the judges of the Supreme and District Courts, and that the act of the Third Congress, authorizing the President to fill all vacancies which may occur during the recess of Congress in offices filled by joint vote of both houses, was unconstitutional as far as appointment of judges was concerned.

I have not been able to learn the final decision, if any, on this constitutional point raised by Judge Thompson. Apparently this case did not reach the Supreme Court.

I refer to Judge Thompson in my note to the Coleman pamphlet, *Houston Displayed*, No. 190 here, and there mention the biography of him by Andrew Forest Muir in the *Southwestern Historical Quarterly* for October, 1947, Vol. LI, p. 143-153. Some authorities give 1873 as the year of Thompson's death, but Mr. Muir is obviously correct in stating that he died in 1871.

LOCATIONS: TxH.

614. WARD, THOMAS WILLIAM, 1807-1872.

A Card. [In answer to the charge of perjury made in the *Report of the Committee Appointed to Examine into the Condition of the Records and Archives of the General Land Office*. Text begins:] When men clothed with public authority, prostitute their character by rendering their high functions subservient to party feeling . . . forbearance, under the infliction, ceases to be a virtue. . . . [At end:] I therefore publish, . . . the fact that the aforesaid F. W. Ogden and J. J. H. Grammont, are LIARS and SCOUNDRELS, and unworthy of the confidence or notice of any honest man. Thos. Wm. Ward. Washington, Feb. 3, 1844.

[Washington: Printed at the National Vindicator Office. 1844.]

Broadside. 20.7 x 19.6 cm.

For the events leading up to this charge see note to No. 595 here on the report of the examining committee, and for a general note on Ward see No. 534 here.

LOCATIONS: TX.

615. [WILLIAMS, WILLIAM WELLS.]

[Confession of William Wells Williams: Shelby County, May 8th, 1844.]

[San Augustine: Printed at the Red-Lander Office. 1844.]

No copy located, but the *Red-Lander*, May 18, 1844, advertises the fact that "the Confession, neatly printed, can be purchased at this office," and the piece itself is printed in the same issue.

This would be an interesting piece, if found, for it appears from the text as printed in the *Red-Lander* that Williams, who seems to have been an assassin by trade, had been hired to kill Wat Moorman, the leader of the Regulators. Yoakum has a note about Moorman and the Regulators and Moderators in Vol. II, p. 440, and Moorman, or Morman, appears often in Middleton's *History of the Regulators and Moderators*, Fort Worth, 1883.

1845

616. BAPTISTS, *Texas*. UNION BAPTIST ASSOCIATION.

Minutes of the Sixth Annual Meeting of the Union Baptist Association, held with Mount Gillead [*sic*] Church Washington County, Western Texas. On the Ninth, Tenth and Eleventh days of October, 1845.

Printed at the Intelligencer Office, La-Grange,—Texas. 1845. 8 p., text printed in double columns. 22 cm.

Here the Minutes, p. [3]-5, are followed by the Statistical Table listing sixteen churches, p. 6, the circular letters, p. [7]-8, and report of a committee unanimously adopted, recommending a change in the Articles of Faith, p. 8. Albert G. Haynes was elected Moderator in

place of W. M. Tryon, and R. E. B. Baylor was re-elected Corresponding Secretary.

For a general note on this association see note to the first meeting, No. 379 here.

LOCATIONS: TxFwSB.

617. CIVILIAN AND GALVESTON GAZETTE.

[Extra of January 1, 1845, publishing news of the overthrow of Santa Anna, and of President Tyler's message urging the immediate annexation of Texas.]

[Galveston: Printed at the Civilian and Galveston Gazette Office. 1845.]

[Broadside?]

President Tyler's message urging annexation was dated December 18. No copy located, but the news is republished from this extra in the *Telegraph and Texas Register* of January 1, 1845.

CORRESPONDENCE relating to a Treaty of Peace between Mexico and Texas . . . [1845]. See *Texas (republic)*. Department of State, No. 648 here.

618. DEMOCRATIC PARTY, *Texas. Galveston.*

Democraten Achtung! [Text begins:] In der heute Abends in Beissner's Gasthofe gehaltenen demokratischen Versammlung wurde F. H. Merriman zum Vorsitze berufen und Major J. K. Beaumont zum Secrtaer [*sic*] bestimmt. . . . [Report of a meeting at which Col. John Warren was chosen as candidate for State Senator after Col. John S. Sydnor had withdrawn. Signed and dated at end:] F. H. Merriman. Vorsitz. J. K. Beaumont, Secretaer. Galveston, den 10 December 1845.

[Galveston: Printed at the Galveston News Office? 1845.]

Broadside in two columns. 27.2 x 20.7 cm.

LOCATIONS: TxU.

619. DIMITT, PHILIP. ESTATE.

Administrator's Sale. [Text begins:] Under and by virtue of an order of the Hon. Probate Court of Victoria county: I will expose to sale on the 1st Tuesday, being the 1st day of July next, in the town of Victoria, the following property belonging to the estate of Philip Dimitt, deceased, to wit: . . . [Signed and dated:] William E. Jones, Adm'r of P. Dimitt. May 16, 1845. . . .

[n. p. 1845.]

Broadside. 15.5 x 19.5 cm.

This sale was of three different tracts of land owned by Dimitt on the Guadalupe River and of his house on the Lavaca River. The house, which contained valuable lumber, was to be removed from the premises.

LOCATIONS: Privately owned. Photostat in Tx.

620. FREEMASONS, *Texas*. GRAND LODGE.

Transactions of the Right Worshipful Grand Lodge of Free and Accepted Masons, of the Republic of Texas, at its Eighth Grand Annual Communication. Ordered to be read in all Lodges under this Jurisdiction, for the information of the Brethren.

Vindicator Office—Washington. 1845.

48 p. 20.5 cm. Printed paper wrappers.

Imprint on front wrapper: National Vindicator Office—Washington. 1845. There is a list of officers of the Grand Lodge and of the Grand Chapter of the Republic of Texas for 1845 on the verso of the back wrapper.

The Grand Lodge assembled at Washington, Texas, on Monday, January 13, 1845, and adjourned finally on January 25. There is a report of its proceedings in the *Proceedings of the Grand Lodge of Texas*, Galveston, 1857, Vol. I, p. 149-177.

Sabin 95085, *note*.

LOCATIONS: DSC. IaCrM. MBFM. NNFM (lacks wrappers). PPFM (lacks front wrapper). TxU (lacks front wrapper). TxWFM.

621. FREEMASONS, *Texas*. GRAND ROYAL ARCH CHAPTER.

Proceedings of the Grand Royal Arch Chapter of the Republic of Texas, at their Annual Communications, in Washington, for Jan'y, A. L. 5844-'45; R. A. M. 2374-'75; A. D. 1844-'45.

National Vindicator Office—Washington. 1845.

24 p. 19.8 cm.

A reprint of the title page and text are given in the *Proceedings of the Grand Royal Arch Chapter of the Republic of Texas, from Its Organization, December 14, 1841, to Its Final Close . . . 1849*, Houston, 1897, p. [7]-24.

LOCATIONS: IaCrM. MBFM. NNFM. PPFM. TxWFM.

622. GALVESTON COUNTY. CITIZENS.

Address to the People of Texas, by the Committee appointed for that purpose, at a meeting of the citizens of Galveston County and City, on the 21st inst., favorable to an immediate ratification of the joint resolution of the Congress of the United States of America, offering to Texas, Annexation. [Signed by Memucan Hunt and five others, and dated, Galveston, March 28, 1845.]

[At end:] < Galveston News, Print. > [Galveston. 1845.]

4-page folder printed on all [4] pages, in three columns. 24 x 34 cm.

This address urges annexation rather than a "stringent commercial alliance" with England. The Constitution of the United States is declared to be "almost the only protection against the growing power . . . and reckless violence of Abolitionism." Economic advantages which would result from annexation are stressed.

The text of this address is given on p. 56-78 in *Address of Memucan Hunt, to the People of Texas*, Galveston, 1851 (Winkler, *Texas Imprints*, 231), a pamphlet in the University of Texas Library to which my attention was called by Mr. Winkler.

LOCATIONS: Tx.

MEMORIAL to the Congress of the United States, from Officers of the United States Army, on the subject of Brevet and Staff Rank. Corpus Christi, December 12, 1845. [Washington, D. C.? 1846?] 23 p. 23.5 cm.

This pamphlet is mentioned here without being numbered because, though dated on the title page Corpus Christi, December 12, 1845, the evidence is against its having been printed there. A comparison of type shows that it was not printed on the press of the *Corpus Christi Gazette*, established there about January 1, 1846, and the possibility of its having been printed at Corpus Christi on an army press is negatived by the fact that the National Archives has advised me that all of the general and special orders of General Taylor, who went to Corpus Christi in July, 1845, are in manuscript rather than printed form. The Memorial was written and signed at Corpus Christi and sent to Washington, D. C., where it was probably printed. My copy came from the papers of Ethan Allen Hitchcock and has manuscript note on the front wrapper, "I wrote this Memorial E A H."

623. MERCER, CHARLES FENTON, 1778-1858.

Contract of Colonization: Charles F. Mercer, *et al.* with the President, Jan. 29, 1844.

[Washington: Printed at the Texas National Register Office. 1845.]

15 p. 21.6 cm.

Caption title.

On p. [1]-3 is a letter to Anson Jones, then Secretary of State, signed by Mercer as "Chief Agent of the 'Texas Association'" and dated at the beginning, Bonham, Fannin County, Texas, July 11, 1844. This gives the first of the semi-annual reports required by the colonization contract of January 29, 1844, and lists by name holders of thirty-nine out of the total of 105 hundred-dollar shares. It is followed by the contract of colonization. Miller & Cushney's bill of February 14, 1845, was for 225 copies printed for the use of the House and the Senate (Ms., Archives, Texas State Library).

This is almost certainly the first surviving separate publication of the famous colonization contract of January 29, 1844, between the Republic of Texas and Charles F. Mercer, which caused such bitter feelings in Texas against Mercer and resulted in litigation lasting almost forty years. This was finally settled, adversely to Mercer's suc-

cessors, by a decision of the Supreme Court of the United States in the case of *Walsh v. Preston*, 109 U. S. 297-329, decided November 19, 1883. There had been great dissatisfaction with the contracts made in pursuance of the colonization act of February 4, 1841, and its amendments, and shortly after the Eighth Congress of Texas met at Washington in December, 1843, a bill was introduced "to repeal all laws in force authorising the President to make colonization contracts and to forfeit such as have already been made, where the conditions have not strictly been complied with." This bill passed the House and Senate but was vetoed by Sam Houston in a message dated January 10, 1844, given in full in the Senate Journal of the Eighth Congress. Houston said that the laws had provided for extension of time to contractors under certain circumstances and that the proposed law "would be a glaring violation of good faith." The veto was overwhelmingly overridden in the Senate on January 25 and in the House on January 30.

On January 29, or the day before Houston's power to make a colonization contract was revoked, Mercer made a colonization contract with Houston for the settlement of the unallocated lands in a huge tract running from the Brazos River to east of the Trinity, with a narrow strip running north to the Red River. The area is shown on the map which accompanied some issues of the folio or New Orleans publication of the Mercer colony *Contract* (entered in Part III).

The effect of this contract was to withdraw this vast tract of choice lands from location on bounty warrants issued to the revolutionary soldiers, and by holders of land scrip, headright claims and the like. In the constitutional convention of 1845 this contract of January 29, 1844, and similar contracts made by Houston were the subject of bitter debate lasting for some days, and charges of fraud on the part of Mercer and inferentially on the part of Houston were bandied about. The convention passed an ordinance declaring its belief that the contracts were unconstitutional "and if carried out would operate as a monopoly of upwards of seven millions of acres of the public domain of Texas, in the hands of a few individuals" and providing that the Attorney General of the new state should test their legality in the courts. The debate is given on p. 27-99 of the appendix in Peeler and Maxey's *Mercer Colony Case*, Austin, 1882.

In the record book of the Texas Association in the Louisville Free Public Library there is preserved a newspaper clipping from the issue of the *Northern Standard* (Clarksville, Texas) for August 21, 1844 (also copy in the files of the *Standard* at the University of Texas), giving an account by Mercer, dated August 12, 1844, of the negotiation of the colonization contract of January 29, 1844. Mercer said

there was no secrecy about the negotiations, and the execution of the contract, the provisions of which had been settled several days before January 29, had been delayed by time spent in copying it, and similar delays.

There are several entries in Part III relating to this Mercer contract, and there is a good article by Nancy E. Eagleston on "The Mercer Colony in Texas, 1844-1883," in the *Southwestern Historical Quarterly* for April, 1936, and succeeding numbers, Vols. XXXIX-XL.

LOCATIONS: TxH.

NATIONAL REGISTER, extras, April 16, May 8, and June 6, 1845. See Texas (*republic*). President, 1844-1846 (*Anson Jones*), Nos. 653, 654, and 655 here.

624. PLANTER, *Columbia and later Brazoria*.

Planter - - Extra. [At head of first column:] Tuesday, January 28, 1845. [Issued "for the purpose of laying before the people of the county the communication of 'Many Citizens of Prec't No. 2 & 4.'", in which William McMaster, Sheriff of Brazoria County, is charged with defalcation in his accounts.

[Columbia? Printed at the Planter Office. 1845.]

Broadside in three columns. 54.9 x 23.5 cm.

The communication seems to show beyond doubt, by references to written and to oral statements, that the sheriff was a defaulter.

LOCATIONS: Tx.

625. SEELIGSON, L., & Co. *West Liberty*.

New Store at West Liberty. [Announcement of a general store where the proprietors are "prepared to furnish goods of the . . . best quality Cheap for Cash, Cotton, Hides, or other country produce." Text begins:] The subscribers respectfully inform the citizens of Liberty county . . . [Signed and dated at end:] L. Seeligson & Co. West Liberty Dec. 12, 1845.

[Galveston? Printed at the Galveston News Office? 1845.]

Broadside. 33.5 x 26.5 cm.

LOCATIONS: Privately owned copy on loan at TxHSJM.

626. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
HOUSE.

Journals of the House of Representatives of the Ninth Congress of the Republic of Texas. Published by Authority.

Washington: Miller & Cushney, Public Printers. 1845.

395 p. 21.3 cm.

The House assembled on December 2, 1844, and adjourned *sine die* on February 3, 1845. The final act of the House was a dispute about a resolution of thanks to John M. Lewis, the Speaker. As the vote of 16 to 7 in favor of the Speaker was less than the quorum of two thirds required by the Constitution, the resolution of approval failed.

Miller & Cushney's bill of March 24, 1845, was for 500 copies (Ms., Archives, Texas State Library).

Sabin 94965, *note*.

LOCATIONS: DLC. Tx. TxU. TWS (lacks p. [1]-6, p. 7 mutilated).

627. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
Appendix to the Journals of the Ninth Congress of the Republic of Texas. By Authority.

Washington: Miller & Cushney, Public Printers. 1845.

91 p., 4 folding tables. 19.7 cm.

This volume contains annual reports dated around December 1, 1844, made to President Houston at the close of his administration by the Secretary of the Treasury, Secretary of War and Marine, Chief Clerk of the General Post Office, and Commissioner of the General Land Office, this last report being dated October 2d, 1844. At the end are two reports, both dated December 24, 1844, to President Anson Jones, the first a report of the Superintendent of Indian Affairs, and the other a Special Report of the Secretary of War and Marine. There are entries under the year 1844 for separate printings of the four reports made to President Houston but I have not seen any separate printings of the two reports to President Jones and they do not seem to be printed in the House or Senate Journals.

Miller & Cushney's bill of June 2, 1845, was for 500 copies (Ms., Archives, Texas State Library).

Sabin 94965, *note*.

LOCATIONS: Tx. TxWFM. TWS.

628. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
HOUSE. COMMITTEE ON FINANCE.

[Report of the Minority of the Committee on Finance.]

[Washington. 1845.]

This and the minority report which follows, both dated January 6, 1845, were made in response to a resolution instructing the Committee "to inquire into the policy of a total repeal of all tariff and tonnage duties." The Committee reported their opinion that "but very small, if any reduction can be made upon impost duties." The report is signed by George W. Smyth and four others.

Smyth (1803-1866) came to Texas in 1830 and was prominent as a surveyor and in public affairs, being one of the signers of the Declaration of Independence. Mr. Kemp has a good biography of him in his *Signers of the Texas Declaration of Independence*.

The report is printed in the House Journal, Ninth Congress, p. 169-173, and 500 copies were ordered printed.

No copy located.

629. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
HOUSE. COMMITTEE ON FINANCE.

[Report of the Minority of the Committee on Finance.]

[Washington: Printed at the Texas National Register Office.
1845.]

See note to the preceding majority report. This report, signed, S. B. Johns, One of the Committee, is for free trade. It is printed in House Journal, Ninth Congress, p. 173-175, and 500 copies were ordered printed.

No copy located.

630. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
HOUSE. COMMITTEE ON THE STATE OF THE REPUBLIC.

Report of the Committee on the State of the Republic.

[Washington: Printed at the Texas National Register Office.
1845.]

8 p. 19.5 cm.

Caption title.

This report is dated at the beginning, Committee-Room, January 14th, 1845, and signed at the end, William L. Cazneau, One of the majority of the Committee. It considers and reports favorably on a joint resolution amending the constitution. One of the amendments especially favored was to set up "a separate and independent Supreme Court."

Cazneau (1807-1876), a native of Massachusetts, was an influential figure in Texas politics. He is the subject of an interesting sketch in the *Handbook of Texas*.

The report was submitted to the House on January 14 and on the same day 200 copies were ordered printed. These were charged for in Miller & Cushney's bill under date of January 17, 1842 (Ms., Archives, Texas State Library). The report is reprinted, but without the amendments, in House Journal, Ninth Congress, p. 206-210.

LOCATIONS: TxH. TxWFM.

631. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
HOUSE. SELECT COMMITTEE ON THE PETITION OF THE
CITIZENS OF GALVESTON AND HOUSTON.

Reports of a Select Committee, on the petition of the citizens of Galveston and Houston, praying a reduction of the Tariff.

[Washington:] Printed at the Vindicator Office. 1845.

12 p. 21:6 cm.

The majority report, dated at the beginning, Committee Room, January 22, 1845, and signed, H. McLeod, Chairman, states that the present tariff is unequal and works a hardship on those importing through Galveston, and recommends a reduction in duties to ten per cent, ad valorem. William R. Scurry and George W. Smyth, members of the Committee, in a report dated January 25, urge the need of revenue and oppose the majority proposal to reduce the duties to ten per cent. S. L. Jones, another member of the Committee, in a report also dated January 25, agrees with the majority as to the unequal burden of the tariff, but favors a reduction of only five per cent in the present duties. Only unimportant changes were made in import duties at this session.

Hugh McLeod (1814-1862) was the commander of the Texan Santa Fe Expedition.

The three reports listed above are to be found in the House Journal, Ninth Congress, p. 272-275 and 285-292, and 500 copies were ordered printed.

LOCATIONS: NN. TxH.

632. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
SENATE.

Journals of the Senate of the Ninth Congress of the Republic of Texas. Published by Authority.

Washington: Miller & Cushney, Public Printers. 1845.

296 p. 20.3 cm.

The Senate assembled on December 2, 1844, and adjourned *sine die* on February 3, 1845.

Miller & Cushney's bill of May 3, 1845, was for 500 copies (Ms., Archives, Texas State Library).

Sabin 94970.

LOCATIONS: DLC. Tx. TxU (lacks p. 239-296). TWS.

633. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
SENATE. COMMITTEE ON FINANCE.

Report of a Minority of the Committee on Finance.

[Washington: Printed at the National Vindicator Office. 1845.]

8 p. 19.5 cm.

Caption title.

This Senate report, dated at the beginning, Committee-Room, 6th January, 1845, and signed at the end, T. Pilsbury, Chairman, is on a resolution to repeal the tariff. Though the first paragraph says it is by a minority of the Committee, I have found no reference in the Senate Journal of this session to a majority report. The report makes a careful analysis of the revenues and expenses of the government and recommends a reduction of five percentage points in all ad valorem duties. Various economies are urged and caustic comment is made that the appropriation for maintenance of foreign ministers at nearly one third of the total expenditures is "odious and oppressive."

Timothy Pilsbury (1780-1858), a native of Massachusetts, moved to Brazoria County, Texas, in 1837. He was a congressman from Texas from 1846 to 1849, and not a senator as stated in the *Handbook of Texas*.

The report is printed in Senate Journal, Ninth Congress, p. 116-122. The Journal records that 150 copies were ordered printed on January 7. Thomas Johnson's bill for printing them was admitted for payment on January 11, 1845 (Ms., Archives, Texas State Library).

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2). TxH. TxWFM.

634. TEXAS (*republic*). CONGRESS (*Ninth, regular session*).
SENATE. COMMITTEE ON FOREIGN RELATIONS.

Report of the Committee on Foreign Relations, in the Senate of the Repu[b]lic of Texas, on the subject of Annexation, with the Correspondence between the Secretary of State and Major Donaldson [i.e. Donelson], the United States' Charge d'Affaires.

[Washington:] Printed at the Vindicator Office. 1845.

20 p. 19.5 cm.

This report is dated at the beginning, Committee Room, Jan. 20, 1845, and signed at the end of the text, David S. Kaufman, Chairman. A letter of A. J. Donelson to Ebenezer Allen, Acting Secretary of State of Texas, dated Washington, Texas, December 10th, 1844, and Allen's reply of December 13 follow.

Resolutions favoring annexation adopted by the people of Brazoria, probably the resolutions adopted at their meeting of December 21, 1844, No. 584 here, and by the people of two other communities had been referred to the Committee and these are used as the text for an eloquent report favoring annexation.

Kaufman (1813-1851), a graduate of Princeton with high honors, first came to Texas in 1837. He was prominent in several sessions of the Texas Congress and was the first man from Texas to be seated in the House of Representatives of the United States.

The report and accompanying documents are printed in the Senate Journal, Ninth Congress, p. 180-197, and 500 copies were ordered printed.

LOCATIONS: TxH. TxU (lacks corner of last leaf, affecting six lines of text). TxWFM.

635. TEXAS (*republic*). CONGRESS (*Ninth, special session*).
HOUSE.

Journals of the House of Representatives of the Extra Session, Ninth Congress, of the Republic of Texas. Published by Authority.

Washington. Miller & Cushney, Public Printers. 1845.

94 p. 20.5 cm.

The House met in special session on June 16, 1845, pursuant to the proclamation of the President, and adjourned *sine die* on June 28.

Miller & Cushney's bill of September 4, 1845, was for 500 copies (Ms., Archives, Texas State Library).

Sabin 94965, *note*.

LOCATIONS: DLC. Tx. TxSaA. TxU. TxWFM.

636. TEXAS (*republic*). CONGRESS (*Ninth, special session*).
SENATE.

Journals of the Senate of the Extra Session, Ninth Congress, of the Republic of Texas. Published by Authority.

Washington. Miller & Cushney, Public Printers. 1845.

94 p., blank leaf. 20.3 cm.

The Senate met in special session on June 16, 1845, pursuant to the proclamation of the President, and adjourned *sine die* on June 28. On p. [85]-94 are Journals of the Secret Session.

Miller & Cushney's bill of September 4, 1845, was for 500 copies (Ms., Archives, Texas State Library).

Sabin 94970, *note*.

LOCATIONS: DLC. M. NN (p. 91-94 mutilated). Tx. TxWFM. TWS.

The copy of this located by Sabin at the University of Texas could not be found.

637. TEXAS (*republic*). CONVENTION, 1845.

Acta Federativa entre los Estados Unidos de America y la Republica de Tejas.

[At end:] Imprenta de la Nueva Era, al cargo del Co. Miner—Austin. [1845.]

4 p. 19.5 cm.

Caption title.

Almost the first action of the Convention which assembled at Austin on July 4, 1845, "for the Purpose of Framing a Constitution for the State of Texas," was to adopt, with one dissenting vote, "An Ordinance" assenting to the first and second sections of the joint resolution of the United States' Congress on the annexation of Texas. On July 7 "An Ordinance Relative to the Introduction of the United States Troops into Texas" was passed, also with one dissenting vote. On July 16 the Convention voted to spread these two documents upon the journals in the Spanish language, and ordered that 1,000 copies of the translation be printed (*Journals*, p. 73). A report of Isaac Parker as Chairman of the Committee on Printing, dated August 12, 1845, and given in the Journals of the Convention, p. 219-220, states that the Committee have complied with the order, "having authorised Mr. George Fisher, the Interpreter and Translator to the Convention to superintend the work," and attend to the distribution. The documents were published under the title given above. Their text in Spanish and the vote for printing 1000 copies are given on p. 70-73 of the *Journals of the Convention*, No. 638 here.

The text, in English, of the ordinance assenting to the joint resolution of the Congress of the United States is printed in the *Journals of the Convention*, p. 9-10, and in Gammel, Vol. II, p. 1228-1230. The ordinance permitting the introduction of the United States' troops into Texas is printed in the *Journals of the Convention* on p. 20.

LOCATIONS: TxH.

638. TEXAS (*republic*). CONVENTION, 1845.

Journals of the Convention, assembled at the City of Austin on the Fourth of July, 1845, for the purpose of framing a Constitution for the State of Texas.

Austin: Miner & Cruger, Printers to the Convention. 1845.
378 p., blank leaf. 23.5 cm.

This Convention which adopted the first constitution of the State of Texas is second in importance only to the convention of March, 1836, which drafted the Texas Declaration of Independence and the Constitution of the Republic of Texas. Its record, as given in the *Journals*, and the following year with much fuller reporting of the speeches in *Debates the Texas Convention*, Houston, 1846 (Winkler, *Texas Imprints*, No. 13), is one of the indispensable sources for the history of Texas.

Mr. Winkler in his chapter, "The Transition from Republic to State," in Vol. I of Johnson and Barker's *Texas and Texans*, remarks (p. 486), "It may be seriously doubted whether at the present time a body of delegates could be selected who would represent an equal variety of legal knowledge and an equally extensive experience in the administration of laws as did those of the convention of 1845."

Miss Middleton's "The Texas Convention of 1845" in the *Southwestern Historical Quarterly* for July, 1921, Vol. XXV, p. 26-62, has an excellent account of its proceedings.

On November 14, 1845, Miner & Cruger submitted a bill for printing 500 copies of the *Journals* (Ms., Archives, Texas State Library). They had been printed earlier in Miner & Cruger's weekly newspaper, the *New Era*, but I have been able to locate only three issues of that paper.

Raines, p. 231. Sabin 94978.

LOCATIONS: Ct (title page mutilated). CtY. DLC. M. MiU-L (lacks p. [1]-8, 369-378). NHi. Tx. TxU. TxU-L. TxWFM. TWS (lacks p. 371-374).

639. TEXAS (*republic*). CONVENTION, 1845.

Standing Rules, for the Government of the Convention of Texas, Assembled at Austin, July 4, 1845.

[Austin: Printed at the New Era Office. 1845.]

7 p. 19.6 cm. Stitched.

These are interesting rules, not only for the wide powers given the President, Rules 1-7, but also for the elevated tone, so to speak, of Rules 13-43 under the heading "Of Decorum and Debate."

The Journal of the Convention shows that the rules were adopted after considerable discussion on July 9, 1845, and that 100 copies were ordered printed (*Journals*, p. 26-28). Miner & Cruger made their charge for these under date of July 14 (Ms. bill, Archives, Texas State Library). A reprinting of these Standing Rules is given at the end of

Debates The Texas Convention, Houston: Published by J. W. Cruger. 1846. This reprinting in eight pages is separately paged, with a title identical with the title of this original edition in seven pages. In this original edition the rules are on p. [3]-7, while in the reprint they are on p. [5]-8, being preceded on p. 3 (p. [4] is blank) by a letter, dated December 14, 1845, from the Secretary of the Convention to the printer of the *Debates*. This letter states that the Rules had been unintentionally omitted from the *Journals of the Convention* and asks that, because of the interesting discussion in the Convention on the Rules, they be appended to the *Debates*.

LOCATIONS: TWS. Another copy privately owned.

640. TEXAS (*republic*). CONVENTION, 1845. COMMITTEE ON EDUCATION.

[Report of the Committee to whom was referred that part of the Constitution which relates to . . . Education, dated, July 16, 1845.]

[Austin: Printed at the New Era Office. 1845.]

This short report of the Committee submitting a draft of the provisions on education for the Constitution, which in their final form became Article Eighth, is dated, Committee Room, July 16, 1845, and signed at the end, Edward Clark, Chairman. Some changes were made before its final adoption. Five hundred copies were ordered printed on July 19 and Miner & Cruger's bill for printing them was submitted on July 25, 1845 (Ms., Archives, Texas State Library). The report is printed in the *Journals of July 16* on p. 66. It is reprinted in the *Debates The Texas Convention*, Houston, 1846, p. 82.

No copy located.

641. TEXAS (*republic*). CONVENTION, 1845. COMMITTEE ON THE BILL OF RIGHTS AND THE GENERAL PROVISIONS OF THE CONSTITUTION.

Report [on the Bill of Rights] of the Committee on the Bill of Rights and General Provisions of the Constitution.

[Austin: Printed at the New Era Office. 1845.]

4 p. 19.3 cm.

Caption title.

This is almost certainly the first separate printing of the Texas Bill of Rights, one of the great Texas documents. In the short letter of transmittal which precedes the text of the Bill of Rights, dated, Committee-Room, Austin, July 11, 1845, and signed, Isaac Van Zandt, Chairman of the Committee, Van Zandt says the Committee "have given it that investigation and deliberation which its importance seems to demand; and with the design to secure the great and fundamental principles of liberty." The lines of each of the twenty-two sections of the Bill of Rights are numbered and a comparison of the text as reported here with the text in the Constitution as adopted shows that the Committee's draft was accepted without modification.

The report and the Bill of Rights are printed in the *Journals of the Convention* for July 11, 1845, p. 32-35, and in the *Debates The Texas Convention*, Houston, 1846, p. 20-23. The 500 copies ordered printed separately were charged for by Miner & Cruger under date of July 15, 1845 (Ms. bill, Archives, Texas State Library).

LOCATIONS: TWS.

642. TEXAS (*republic*). CONVENTION, 1845. COMMITTEE ON THE BILL OF RIGHTS AND THE GENERAL PROVISIONS OF THE CONSTITUTION.

[Report on the General Provisions of the Constitution, dated, July 28, 1845.]

[Austin: Printed at the New Era Office. 1845.]

This report of the Committee submitting a draft of the "General Provisions" of the Constitution, which in final form became Article Seventh, is dated, Committee Room, July 28, 1845, and signed at the end by Isaac Van Zandt as Chairman. Many changes were made before its final adoption. Five hundred copies were ordered printed by the Convention of July 28, 1845. The report is printed in the *Journals* of that date on p. 109-115, and is reprinted in the *Debates The Texas Convention*, Houston, 1846, p. 275-280.

No copy is located.

643. TEXAS (*republic*). CONVENTION, 1845. COMMITTEE ON THE EXECUTIVE DEPARTMENT . . . AND THE MILITIA.

Report of the Committee on the Executive Department, of the Constitution and Militia, July 11, 1845.

[Austin: Printed at the New Era Office. 1845.]

8 p. 21.5 cm.

This report is dated at the beginning, Committee Room, July 11, 1845, and signed James Davis, Chairman. Under the heading "Executive Department" twenty-four sections are recommended, and six sections under the heading, "Militia." The lines of each section are numbered. Various changes in these sections were made in their adoption in the Constitution as Article Fifth, "Executive Department," and Article VI, "Militia." One change was in the term of office for governor which was recommended by the committee at four years, while in the Constitution the term is fixed at two years.

Miner & Cruger's charge of July 15 was for 500 copies (Ms. bill, Archives, Texas State Library). The report is printed in the *Journals of the Convention* for July 11, on p. 35-39, and was reprinted in *Debates The Texas Convention*, Houston, 1846, p. 23-26.

LOCATIONS: TWS.

644. TEXAS (*republic*). CONVENTION, 1845. COMMITTEE ON THE JUDICIARY.

Report of the Committee on the Judiciary Department, July 12, 1845.

[Austin: Printed at the New Era Office. 1845.]

Broadsheet. 30.1 x 17.5 cm.

This important report, dated at the beginning, Committee Room, Austin, July 11, 1845, and signed, John Hemphill, Chairman of the Judiciary Committee, recommends provisions for Article Fourth of the Constitution, Judicial Department. Many changes were made in these provisions in the final text of the Constitution.

Hemphill (1803-1862), a native of South Carolina and a graduate of Jefferson College, Washington, Pennsylvania, came to Texas in 1838. He played an important part in Texas affairs, becoming chief justice of the supreme court in 1842, and later chief justice of the state, and United States senator. There is a sketch of him in the *Dictionary of American Biography*.

The report is printed in the *Journals of the Convention* for the session of July 12, p. 46-49, and 500 copies ordered printed. It is also reprinted in *Debates The Texas Convention*, Houston, 1846, p. 32-34. The 500 copies ordered printed separately were charged for by

Miner & Cruger under date of July 15, 1845 (Ms. bill, Archives, Texas State Library).

LOCATIONS: TWS.

645. TEXAS (*republic*). CONVENTION, 1845. COMMITTEE ON THE JUDICIARY.

Report of the Judiciary Committee, on the Adjudication of Land Titles by the Federal Courts.

Printed at the Office of the "New Era." [Austin. 1845.]

8 p. 22.5 cm.

In this most important report the Committee states by way of conclusion: "The establishment of the federal courts within the limits of the state, and their cognizance of disputed claims to lands, will not injuriously affect the titles of citizens of this Republic. It will simply furnish a citizen of another state, or an alien, a selection between two *forums* for the adjudication of his rights, both of which courts will be controlled by the laws of the state upon which those rights are founded, or by which they are controlled."

The text of this report, here dated on p. 3, Committee Room, July 29, 1845, and with the signature of John Hemphill, Chairman, and fourteen other members of the committee at the end, is given in *Journals of the Convention*, p. 120-126, where, on p. 126, an order to print 1,000 copies is recorded. The report is reprinted in *Debates The Texas Convention*, Houston, 1846, p. 293-298.

An interesting endorsement in manuscript on the title page of my copy of this report reads: "To the Editor of the N. Y. 'Tribune'. Review and send your comments to the 'National Register', Washington, Texas, and 'Civilian', Galveston, Texas. Submit this report to some one of your able lawyers, and let us hear what he says."

LOCATIONS: TxH. TxWFM. TWS.

646. TEXAS (*republic*). CONVENTION, 1845. COMMITTEE ON THE LEGISLATIVE DEPARTMENT.

[Report of the Committee on the Legislative Department.]

[Austin: Printed at the New Era Office. 1845.]

No copy located, but 500 copies of this report, dated July 11, 1845, and signed, H. G. Runnels, Chairman, were ordered printed by the

Convention, July 14, 1845 and were charged for by Miner & Cruger under date of July 16 (Ms. bill, Archives, Texas State Library). The report is printed in the *Journals* at pages 54-59, and in the *Debates*, Houston, 1846, at pages 53-57.

647. TEXAS (*republic*). CONVENTION, 1845. SPECIAL COMMITTEE ON FINANCE.

Report of the Special Committee on Finance.

[Austin: Printed at the New Era Office. 1845.]

3 p. 19.5 cm.

Caption title.

This report on the "amount of money which can be collected by a rate of reasonable taxation" is dated at the beginning, Committee-Room, July 16, 1845, and signed, J. B. Miller, Chairman. It estimates the annual expense of the state government at \$44,560, and discusses how this will be met by taxation.

This report is printed in the *Journals of the Convention* for July 16, p. 67-69, where an order to print 500 copies is recorded, and Miner & Cruger's bill for printing them was submitted on July 25, 1845 (Ms., Archives, Texas State Library). It was reprinted in *Debates The Texas Convention*, Houston, 1846, p. 82-84. For a sketch of Miller, see No. 577 here.

LOCATIONS: TxH. TxWFM.

648. TEXAS (*republic*). DEPARTMENT OF STATE.

Correspondence relating to a Treaty of Peace between Mexico and Texas, upon the Basis of an Acknowledgment of the Independence of the Latter.

Washington: National Register Print. [1845.]

8 p. 24.3 cm.

This includes a letter of transmittal from President Anson Jones to the Senate, dated Washington, June 18, 1845, and a communication from the French Minister in Mexico stating Mexico's acceptance of the four "Conditions Preliminary to a Treaty of Peace between Mexico and Texas" outlined by Ashbel Smith on March 29, 1845, and given here on p. 5. These four conditions are given on p. 473-475 of Anson Jones' *Memoranda and Official Correspondence relating to*

the Republic of Texas, New York, 1859, as part of the memorandum of a conference held at the Texas State Department on March 29, 1849, with the English and French chargés d'affaires.

The letter of transmittal and correspondence are given in the *Journals of the Senate of the Extra Session, Ninth Congress*, p. [87]-93. On June 21 the Senate ordered 1000 copies printed and on the 23d the House of Representatives ordered the same number printed.

Sabin 95035.

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2). NcU (Southern Pamphlets). TxH. TxU. TxWFM. TWS.

649. TEXAS (*republic*). GENERAL LAND OFFICE.

Communication from the Commissioner of the Gen. Land Office, in reply to a resolution of the Convention of August Fourth.

Printed at the Office of the "New Era." [Austin. 1845.]

4 p. 19.5 cm.

This letter is dated at the beginning, General Land Office, Austin, August 5th, 1845, and signed, Thos. W. Ward. It gives the number of acres of Texas lands under various classifications.

The letter and a vote ordering that 500 copies be printed are given in the record of the proceedings of August 5 in *Journals of the Convention*, p. 169-171, and in the *Debates The Texas Convention*, Houston, 1846, p. 413-414. For a general note on Ward see No. 534 here.

LOCATIONS: TxH. TxWFM.

650. TEXAS (*republic*). LAWS.

[Joint Resolution Giving the Consent of the Existing Government to the Annexation of Texas to the United States.]

[Washington: Printed at the Texas National Register Office. 1845.]

No copy located, but 1000 copies were ordered printed by the House, June 23, 1845, the day on which the resolution was approved. The text of the joint resolution is given in *Laws . . . Extra Session . . . Ninth Congress*, p. 4-6.

651. TEXAS (*republic*). LAWS.

Laws Passed by the Ninth Congress, of the Republic of Texas. Published by Authority.

Washington: Miller & Cushney, Public Printers. 1845.

133, [1] p.; index, ix p., verso blank; proclamation of treaty with Comanche and other Indian tribes, vi p., blank leaf. 21.7 cm.

On March 17, 1845, Miller & Cushney submitted a bill for printing 2000 copies (Ms., Archives, Texas State Library). These laws are given in a page-for-page reprint, except for the omission of the printers' names from the imprint on the title page, in Gammel, Vol. II, p. [1047]-1196.

Raines, p. 231. Sabin 95000, *note*.

LOCATIONS: CU-B. CtY. DLC. MH-L (proclamation, vi p., supplied from Gammel reprint). NN. Tx. TxU. TWS. Also 22 others.

652. TEXAS (*republic*). LAWS.

Laws Passed at the Extra Session of the Ninth Congress, of the Republic of Texas. Published by Authority.

Washington: Miller & Cushney, Public Printers. 1845.

22 p.; leaf with attestation, verso blank; index, iii p. 21.1 cm.

On August 2, 1845, Miller & Cushney submitted a bill for printing 2000 copies (Ms., Archives, Texas State Library). These laws are given in a page-for-page reprint, although the lining off of the title differs and the printers' names are omitted from the imprint, in Gammel, Vol. II, p. [1197]-1223.

Raines, p. 231. Sabin 95000, *note*.

LOCATIONS: CU-B. Ct-Y. DLC. MH-L. Tx. TxU. TWS. Also 18 others.

653. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

... By the President of the Republic of Texas. A Proclamation. [Dated April 15, 1845, calling a special session of Con-

gress to meet at Washington, on June 16th next, to consider Annexation. Text begins:] Whereas, since the close of the last session . . . a Joint Resolution respecting the Annexation of Texas to the United States has, by their Congress been adopted . . . [Signed at end:] Anson Jones. By the President, Eben'r Allen. Acting Secretary of State.

[Washington: Printed at the Texas National Register Office. 1845.]

4-page folder printed on page [1], in two columns. 27 x 21.7 cm.

At head: National Register. --- Extra. Washington, Wednesday, April 16, 1845.

The proclamation calls a special session of the Congress of Texas to consider the joint resolution of the Congress of the United States providing for the annexation of Texas, and "to receive such communications as may be made to them, and to consult and determine on such measures as in their wisdom may be deemed meet for the welfare of Texas."

Miller & Cushney submitted a charge under date of April 16, 1845, for printing 300 copies (Ms. bill, Archives, Texas State Library).

LOCATIONS: DNA (State Department Diplomatic Despatches, Texas, Volume 2). TxU.

654. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

. . . By the President of the Republic of Texas, A Proclamation. [Dated May 5, 1845, calling for an election to be held June 4th next, in the counties of the republic, to choose "Deputies" to assemble in convention at Austin on the Fourth of July, for the purpose of considering Annexation and of framing a Constitution. Text begins:] Whereas, the people of Texas have evinced a decided wish that prompt and definite action should be had upon the proposition for annexation . . . [Signed at end:] Anson Jones. By the President, Eben'r Allen, Attorney General, and Acting Sec'y of State.

[Washington: Printed at the Texas National Register Office. 1845.]

4-page folder printed on page [1], in two columns. 27 x 20 cm.

At head: National Register - - Extra. Washington Thursday, May 8, 1845.

Jones points out in the preamble that "no authority is given by the Constitution of this Republic, to any branch of the Government to call a Convention." Consequently President Jones "recommends" holding on June 4 the election for delegates to the Convention and says he is taking the responsibility of stating the number of delegates to be chosen in each county.

Miller & Cushney submitted a charge under date of May 8, 1845, for printing 300 copies (Ms. bill, Archives, Texas State Library).

LOCATIONS: Tx.

655. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

. . . By the President of the Republic of Texas. A Proclamation. [Dated June 4, 1845, giving an account of peace negotiations with Mexico, and proclaiming a cessation of hostilities until Congress, meeting on June 16, and the Convention, on July 4, can take action on the preliminary proposals of the Texan government already agreed to by Mexico. Signed at end]: Anson Jones. By the President: Eben'r Allen, Attorney General, and Acting Sec'y of State.

[Washington: Printed at the Texas National Register Office. 1845.]

4-page folder printed on p. [1], in two columns. 27 x 20.5 cm.

At head: National Register - - - Extra. Washington, Friday, June 6, 1845.

President Jones says in his proclamation that peace negotiations with Mexico were the result of formal offers of their good offices made by Great Britain and France at the end of March, and that he had made it clear that the only peace he would submit to the people of Texas was peace without conditions. He further states that he has "authentic proof" that Mexico is prepared to discuss a peace treaty on that basis.

What was agreed to by Ashbel Smith for Texas on March 29, 1845, is given in Jones' *Memoranda and Official Correspondence relating to the Republic of Texas*, New York, 1859, p. 473-475, and in *Correspondence relating to a Treaty of Peace between Mexico and Texas upon the Basis of an Acknowledgement of the Independence of the Latter*, Washington [Texas], [1845], No. 648 here. It appears that though Mexico was to acknowledge Texan independence, Texas was to stipulate in the treaty with Mexico "not to annex herself or become subject to any country whatever."

The House and Senate assembled for the extra session on June 16. On June 19 the Senate passed unanimously a joint resolution "giving the consent of the existing Government of the Republic of Texas to the admission of the same, as a State, into the Federal Union of the United States of America." There seems to have been no discussion of the peace negotiations with Mexico which had been outlined in this proclamation of June 4, 1845.

Miller & Cushney's charge of June 6, 1845, was for 300 copies (Ms. bill, Archives, Texas State Library). The proclamation is reprinted in *Journals of the Senate of the Extra Session, Ninth Congress*, p. 35-37.

LOCATIONS: Tx. TWS.

656. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

By the President of the Republic of Texas. A Proclamation. [Dated August 28, 1845, directing polls to be opened on October 13th next to take "the sense of the people" in regard to the proposed Constitution, Annexation, and the Ordinance in relation to Colonization Contracts. Signed at end:] Anson Jones. By the President. Eben'r Allen, Secretary of State.

[Austin: Printed at the New Era Office. 1845.]

Broadside. 31.5 x 19 cm.

The proclamation states that the convention to consider annexation which met at Austin on July 4 had adopted "the subjoined Constitution" on August 28, and on August 27 an ordinance, "also subjoined," in relation to colonization contracts. The proclamation directs polls to be opened on Monday, October 13, next to take the sense of the people of Texas on "the Adoption or Rejection of the said Constitution: also . . . their opinions For and Against Annexation: . . . also . . . on the adoption or rejection of the aforesaid Ordinance."

Miner & Cruger's charge of August 28, 1845, was for 250 copies (Ms. bill, Archives, Texas State Library).

LOCATIONS: DNA (State Department, Miscellaneous Letters, September 5, 1845). TxH.

657. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

By the President of the Republic of Texas. A Proclamation. [Dated Austin, November 10, 1845, announcing that a majority of votes at the election held October 13 had been cast in favor of ratifying the Constitution adopted by the Convention of Deputies, August 28. Signed at end:] Anson Jones, By the President. Joseph C. Eldredge, Acting Secretary of State. [Austin: Printed at the Texas National Register Office. 1845.]

4-page folder printed on page [1]. 27.6 x 21.7 cm.

The state constitution having been ratified, Jones proclaims that it will "go into operation and . . . be of force and effect, from and after the organization of the State Government under it."

On November 10, 1845, Ford & Cronican submitted a bill for printing 200 copies of this and the following proclamation (Ms. bill, Archives, Texas State Library).

LOCATIONS: DNA (Records of the U. S. Senate, 29th Cong., 1st Sess.).

658. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

By the President of the Republic of Texas. A Proclamation. [Dated Austin, November 10, 1845, reciting the ratification of the Constitution at the election held October 13 and calling for the election of state officers at elections to be held on December 15. Signed at end:] Anson Jones. By the President. Joseph C. Eldredge, Acting Secretary of State.

[Austin: Printed at the Texas National Register Office. 1845.]

4-page folder printed on page [1]. 27.3 x 22 cm.

The proclamation states the number of senators and representatives to be elected from the various named districts, and provides for the conduct of the elections.

On November 10, 1845, Ford & Cronican submitted a bill for printing 200 copies of this and the preceding proclamation (Ms. bill, Archives, Texas State Library).

LOCATIONS: TxU.

659. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

[Message of the President, dated June 16, 1845, and Accompanying Documents.]

[Washington: Printed at the Texas National Register Office. 1845.]

The Anson Jones proclamation of June 4, 1845, No. 655 here, had called a special session of Congress to convene June 16 to take action on peace negotiations with Mexico and had not mentioned any annexation proposals by the United States. In this message, delivered at a joint session on the 17th, the President transmits the propositions made by the United States for the annexation of Texas, including a letter from Donelson, the Chargé d'Affaires of the United States, dated as late as June 13, 1845. Also transmitted with the *Message* is the proclamation of June 4. As said in the note to the entry for the June 4 proclamation, on June 19, 1845, the Senate unanimously passed the joint resolution accepting annexation with no record of any discussion of the Mexican offer.

While I have not found a separate of this message, it is reprinted in the *Journals of the Senate of the Extra Session, Ninth Congress*, p. 5-8, with the accompanying documents reprinted on p. 8-37, and on June 17 1,000 copies were ordered printed by the Senate and 3,000 by the House.

660. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

Presi[d]ent's Mes[s]age, Vetoing "An Act Amendatory of the Several Acts Relative to Fraudulent Land Certificates."

[Washington: Printed at the National Vindicator Office. 1845.]

4 p. 20 cm.

Caption title.

The bill vetoed by President Jones had extended the time in which individuals could contest decisions of the Board of Land Commissioners that this or that head-right certificate held by the individual was fraudulent. Jones points out that in the course of the three years already allowed under the laws proofs of fraudulency held by the government had become less accessible and opportunities for fraud had increased. This message was printed in the House Journal for January 27, 1845, p. 312-314, and the same day 150 copies were ordered printed (p. 315). These were charged for in Thomas Johnson's bill of January 29, 1845 (Ms., Archives, Texas State Library).

LOCATIONS: TxH.

661. TEXAS (*republic*). PRESIDENT, 1844-1846 (*Anson Jones*).

[President's Message, Vetoing "An Act Directing the President and Heads of Departments to Return to the City of Austin.]

[Washington: Printed at the Texas National Register Office. 1845.]

No copy located, but Miller & Cushney's bill of January 27, 1845 (Ms., Archives, Texas State Library), covering printing for the House from December 14, 1844, includes a charge under date of January 17 for printing 160 copies. The message, dated January 8, 1845, is printed in the House Journal of the Ninth Congress at p. 181-183.

TEXAS (*republic*). STATE DEPARTMENT. *See* Texas (*republic*). Department of State, No. 648 here.

662. TEXAS (*republic*). TREASURY DEPARTMENT.

[Instructions to County Treasurers, and Act relative thereto.]

[Washington: Printed at the Texas National Register Office. 1845.]

No copy located, but Miller & Cushney submitted a charge for printing 50 copies under date of March 16, 1845 (Ms. bill, Archives, Texas State Library).

CONSTITUTION
OF THE
STATE OF TEXAS.

ADOPTED IN CONVENTION, AT THE
CITY OF AUSTIN, 1845.

AUSTIN:

PRINTED AT THE OFFICE OF THE "NEW ERA."
1845.

663. TEXAS (*state*). CONSTITUTION, 1845.

Constitucion del Estado de Tejas. Adoptada en Convencion, en la Ciudad de Austin, 1845. Traducida de orden de la Convencion, por Geo. Fisher.

Austin: Impreso en la Oficina de la "Nueva Era." 1845.

34 p., blank leaf. 24.5 cm.

The *Journals of the Convention*, Austin, 1845, record (p. 287) on Friday, August 22, 1845, an order that 500 copies of the Constitution "be printed in the Castilian language, for the use of the population on our western frontier," and on Monday, the 25th, the employment of George Fisher to translate the Constitution into Spanish at the rate of \$2 a page was authorized. However, the Constitution was not then in final form and slight changes were made as late as Wednesday, August 27. The report of the committee appointed to superintend the enrollment was made on Thursday morning, the 28th, when the Constitution was unanimously adopted and signed by the delegates to the Convention. Fisher must have finished his translation by Monday, September 1, for his certificate to the correctness of his translation is dated that day.

The Journal (p. 376) shows that Fisher was paid \$74 for his translation and that Miner and Cruger, publishers of the *New Era*, were paid \$127.50 for printing the edition in Spanish.

Sabin 95063.

LOCATIONS: CSmH. NN. TxH. TxU.

664. TEXAS (*state*). CONSTITUTION, 1845.

Constitution of the State of Texas. Adopted in Convention, at the City of Austin, 1845.

Austin: Printed at the Office of the "New Era." 1845.

32 p. 21.5 cm.

This is one of the great Texas documents, it being the first edition in English of the first constitution of the State of Texas and probably the first separate printing of the constitution in final form in either English or Spanish. The translation into Spanish of the edition listed in the preceding entry was, as stated in the note, not certified to until September 1, while the English text was available for printing three or four days earlier.

Although the Constitution is dated at the end, Austin, August 27, 1845, it was not formally adopted until August 28. On that day it was signed by President Rusk and the other delegates to the Convention. It is given on p. [3]-31 of this pamphlet, and is followed by "An Ordinance" adopted August 27, calling for an investigation by the Attorney General of all colonization contracts entered into with the President of Texas and the annulment of all not completed according to their terms, or which were fraudulently obtained, p. 31-32. This ordinance was to be voted on by the people at the same time they voted on the constitution. This ordinance was also given in the later edition printed at Houston, entry for which follows.

The final provision of the Constitution, Sec. 13 of Article 13 on p. 31 reads:

The ordinance passed by the Convention on the fourth day of July, assenting to the overtures for the annexation of Texas to the United States, shall be attached to this Constitution, and form a part of the same.

This ordinance is not printed in either this edition or in the Spanish edition, but is included in the Houston edition, entry for which follows.

The title page of the Austin edition of the *Constitution* is reproduced here as Plate VIII.

Sabin 95064.

LOCATIONS: CSmH. MH-L (trimmed; title page defective, lacks imprint). TxDaHi. TxU-L. TWS.

665. TEXAS (*state*). CONSTITUTION, 1845.

Constitution of the State of Texas. (Adopted unanimously in Convention, at the City of Austin, 1845.) An Ordinance in relation to Colonization Contracts. An Ordinance assenting to the Proposals of the United States' Congress for the Annexation of Texas.

Houston: Printed at the Telegraph Office. 1845.

32 p. 20 cm.

In this later edition, printed at Houston, the Constitution, p. [3]-28, is dated and signed as in the first or Austin edition; but here, as in the Convention Journal, signatures of sixty members of the Convention follow Rusk's signature as President. The Constitution is followed by "An Ordinance," undated, assenting to the proposals of the United States' Congress for the annexation of Texas, p. 29-30

(this as adopted by the Convention on its opening day, July 4, 1845), and by "An Ordinance" in relation to colonization contracts, p. 31-32. The assenting ordinance was not printed in the first or Austin edition, though the ordinance in relation to colonization contracts came after the text of the Constitution in that edition, and neither was printed in the Spanish edition. The text of the Houston edition is reprinted in Gammel, Vol. II, p. 1275-1306.

Raines, p. 231. Sabin 95065.

LOCATIONS: IU. NN. TxH. TxU. TWS.

666. — Another edition, with title:

Constitution of the State of Texas. <Adopted unanimously in Convention, at the City of Austin, 1845.> An Ordinance in relation to Colonization Contracts. An Ordinance assenting to the Proposals of the United States' Congress for the Annexation of Texas.

Houston: Telegraph Print. 1845.

32 p. 19.5 cm.

Though this edition of the Constitution, like the preceding edition, was printed at the office of the Telegraph, it is from an entirely different setting of type. Pages [3]-32 of this later edition are printed from the same setting of type as the corresponding pages ([3]-32) of the Constitution published as signatures [96]-99 of the *Debates The Texas Convention . . .*, Houston: Published by J. W. Cruger. 1846. In this separate edition the signatures run [A]⁴, B-D⁴, instead of [96]⁴, 97-99⁴. The leaf of title here is a cancel and the title differs typographically from the title without imprint found on p. [1] of the *Debates* for which it is substituted.

Apparently the "Telegraph Office" edition listed in the preceding entry was published before this edition, a certain number of copies printed, and the type distributed. It is believed that the *Debates* were set in type late in 1845. When it was discovered that the demand for copies of the Constitution was greater than the supply of the "Telegraph Office" edition, extra copies of signatures [96]-99 of the *Debates*, the Constitution, were run off and issued, with a cancel title carrying an imprint with an 1845 date, before the volume itself, which has an 1846 imprint, was issued. The printing in the *Debates* is incorrectly entered in Sabin, No. 95065, as a separate edition of the Constitution, with the imprint [n.p. 1845?] supplied. There is a copy of the *Debates*

in my collection, and Winkler, *Texas Imprints*, No. 13, locates copies at the New-York Historical Society, the Texas State Library, the Saint Agnes Academy Library, Houston, the University of Texas, and the Law School of the University of Texas.

Sabin 95065.

LOCATIONS: MH-L.

Undated

667. ANDREWS, ———

Eliza M. Westall, & Wm. G. Hill, vs. James F. Perry, & wife. Argument. Andrews, for plaintiffs.

[n. p. 184-?]]

52 ? p. 28.5 cm.

Caption title.

This is a printed argument by Andrews on the construction of the residuary clause of the will of Stephen F. Austin. Austin had divided his estate into two parts and left one part to his sister, Emily F. Austin, wife of James F. Perry, and the other part to his nephew, Stephen F. Austin, son of James E. B. Austin and Eliza Martha Westall, his wife. Austin then added a provision that if the nephew died without issue the nephew's share should go to Austin's sister Emily. The nephew died shortly after Austin, without issue, and leaving his mother, the plaintiff in this suit, as his sole heir.

Andrews makes an elaborate argument that the additional provision made by Austin which directed the bequest to the sister, if the nephew died without issue, was contrary to the Civil Law and also the Constitution of Texas. Presumably the case was governed by the Civil Law, as the English common law did not replace the Civil Law in Texas until January 20, 1840.

Some years ago Professor Eugene C. Barker, the great authority on Stephen F. Austin, in reply to my inquiries about this case was good enough to write:

... I knew in general that the controversy had arisen and that it had been determined in general against James F. Perry and wife. ... The case was apparently instituted in 1839 in the Brazoria court, before the organization of the Supreme Court of the Republic. There is, therefore, in the published reports of the Supreme Court no record. In the Archives of the Supreme Court there is recorded a decree of the court reached by agreement of the attorneys of the parties, and that is all that appears here in Austin of record. I have also gone through the unpublished

Austin papers without finding a single reference. Mr. Winkler tells me that he knows nothing of the details of the case.

Mr. Winkler had suggested to me that the Andrews who wrote the brief might have been Stephen Pearl Andrews whose biography is given in the *Dictionary of American Biography*. On this point Professor Barker wrote me in a later letter:

... Of course the firm of League, Andrews and Company was doing business in 1839, and Andrews could very well have prepared the argument for the district court. The name of Andrews does not appear in the pleadings before the Supreme Court. In my present state of ignorance, I don't lean toward Stephen Pearl Andrews. Apparently he did not arrive in Texas until 1839. He was already an active abolitionist, and would therefore have been questionable.

The Wisconsin Historical Society copy, the only one located at present, ends with p. 52, but, as the last four pages are defective, the text does not indicate whether other pages are missing or not.

LOCATIONS: WHi.

BUTLER, ANTHONY, *and* HOUSTON, SAMUEL.

Correspondence between Col. Anthony Butler and Gen. Sam Houston. [n.p. n.d.] 11 p. 21.4 cm. Stitched. Caption title.

Although the correspondence is dated in December, 1845, the pamphlet was not printed until later.

668. GALVESTON INSTITUTE.

Rules for the Galveston Institute.

[Galveston: Printed at the Civilian and Galveston Gazette Office? n.d.]

4-page folder printed on p. [1]. 24.7 x 19.8 cm.

This folder, with twelve rules for the conduct of the students at Galveston Institute, is signed in manuscript at the end, Amasa Turner, the only located copy being in the Amasa Turner Papers at the University of Texas. The rules make interesting reading. Rule 9 for example reads: No Student during his connection with the Institute must [*sic*] speak in disparaging terms either of his Preceptor or a fellow Student or report any transaction of the school. I have not been able to learn anything about the Galveston Institute except that it had these rules.

LOCATIONS: TxU.

HAYNIE, SAMUEL G.

Chart of Phrenology . . . , Austin [1840?]. *See* under 1840, No. 390 here.

HOUSTON, SAMUEL.

Correspondence between Col. Anthony Butler and Gen. Sam Houston, [n.p. n.d.]. *See* Butler, Anthony, and Houston, Samuel, following No. 667 here.

669. MENARD. PROPRIETORS.

Certificate of Stock in the Town of Menard. One Hundred Dollars. This is to Certify that _____ is the holder of One Share of Stock in the Town of Menard . . . situated on the West bank of the Neches River, in the County of Liberty . . . [Blank for the signature of] Agent for the Proprietors.

Telegraph Press. [Houston. n.d.]

Broadside. 10.6 x 18.3 cm.

At left and right of title: No. —

This projected town was undoubtedly named for Michel or Pierre Menard, two brothers, who were prominent in Liberty County, Texas, at the time of the Texas Revolution, and who, in the late eighteenth thirties, established the firm of P. J. Menard and Company at Galveston. The Neches was the boundary between Liberty and Jasper counties. No town of Menard is shown on either the 1839 or 1845 edition of Hunt and Randel's *Map of Texas*. The only certificate located has the signature of S. H. Everitt as Agent. This indicates that the town must have been projected before December, 1840, for Everitt resigned as a Senator in the Fifth Congress in that month and is thought to have left Texas shortly thereafter.

LOCATIONS: Privately owned. Photostat in TWS.

670. [POTTER, REUBEN MARMADUKE, 1802-1890.]

Hymn of the Alamo. Air, "Marseilles Hymn." [First stanza begins:]

"Rise, man the wall, our clarion's blast
Now sounds its final reveille;
This dawning morn must be the last
Our fated band shall ever see.
..."

[n.p. n.d.]

Broadside. 19.8 x 13 cm.

In three stanzas of twelve lines each.

This is the version of the well-known *Hymn* given in Dixon's *Poets and Poetry of Texas*, Austin, 1885, and in the Alex Dienst article, "Contemporary Poetry of the Texan Revolution," *Southwestern Historical Quarterly* for October, 1917, Vol. XXI, p. 168. The poem was first published in the *Telegraph and Texas Register* for October 4, 1836 (editorial page dated October 5), and, as Dr. Dienst points out, differed there slightly from the text as given in the above article in the *Quarterly*. The type and set-up of the broadside differ from that of the *Telegraph*, and as it is difficult to guess when the broadside was printed I am putting it with the undated material printed in Texas during the period of the bibliography. Indeed, it may have been printed after 1845.

There is an interesting account of Potter by Sam H. Dixon in the *Houston Post* for May 21, 1922, which enlarges on a similar account by Dixon in his *Poets and Poetry of Texas*, p. 229-233. It seems that Potter had first gone to Mexico in 1827, when twenty-five years old, to work for a Mexican commercial house, and was in Matamoros in 1836 and until the spring of 1837. He came to Texas in the summer of 1837 and became a deputy collector at Velasco in the revenue department of the Republic. According to Heitman's *Historical Register ... of the United States Army*, Potter became a military storekeeper in 1848, attained the rank of captain in that branch in 1866, retired in 1882 and died in 1890. Dixon in his account gives him the rank of colonel.

The *Hymn* is also printed in the *Texas Times* of Galveston (in Vol. I, No. 49, for November 30, 1842, sometimes misprinted November 6), where it is said that it was written after the fall of the Alamo and before the battle of San Jacinto. Raines lists several articles by Potter, to which may be added letters by him in two issues of the *Quarterly*, Texas State Historical Association, which appeared after Raines was

in print. One is given in an article, "Escape of Karnes and Teal from Matamoras," in the issue for October, 1900 (Vol. IV, p. 71-84), and the other in an article, "The Alamo Monument," in the issue for April, 1903 (Vol. VI, p. 309).

LOCATIONS: TxU.

SAN AUGUSTINE. ANNIVERSARY BALL.

For an undated invitation to a ball in celebration of the anniversary of the Declaration of Independence, probably printed in 1839, *see* No. 331 here.

WESTALL & HILL *vs.* PERRY & WIFE.

. . . Andrews, for plaintiffs. [184-?]. *See* Andrews, ———, No. 667 here.

APPENDICES

APPENDIX A

Texas Newspapers Through 1845

Introduction

IN compiling this bibliography of Texas through 1845 it was essential to make a study of the Texas newspapers of the same period, not only because almost all the Texas imprints listed were printed in newspaper offices, but also because, from time to time, the newspapers gave interesting data on those imprints. As this study has also resulted in the location of many issues not recorded in the listing of *Texas Newspapers, 1813-1939* published by the San Jacinto Museum at Houston in 1941, and in the discovery of material not included in Mr. Joe B. Frantz's unpublished thesis, *The Newspapers of the Republic of Texas*, presented at the University of Texas in 1940, it has seemed appropriate to add to the bibliography this account of Texas newspapers through the year 1845. After all, the story of the newspapers of a region for a given period is an important part of the history of printing in the region for that period.

The material on which this appendix is based was largely gathered by my assistant Mrs. Malcolm D. McLean, who listed the copies of newspapers published through 1845 in the important Texas libraries, and read them for information on their histories and for comments on Texas imprints. Further data have resulted from a study of issues of Texas newspapers in my collection and in libraries outside of Texas. As most of the information on individual papers in Mr. Frantz's thesis has been incorporated in the sketches in the *Handbook of Texas*, which is generally available, the accounts given here, for the most part, include only information supplementing or, at times, correcting the sketches in the *Handbook*.

While the "Sketch of Printing in Texas," which precedes the entries of the bibliography, is arranged chronologically, this would be impracticable and confusing in a listing of accounts of individual newspapers. These are arranged here alphabetically under their places of publication, with words in the titles such as "Morning," "Weekly," and the like, and place of publication ignored in the

alphabetization. Whenever possible an attempt has been made here to give the date each paper began and its final date. Where the first issue of a newspaper has not been located, and there is no other evidence of the date of beginning, the date is figured back from the earliest issue located. This has been done on the assumption of regular issues and as the result is at best only an approximation, such beginning dates are queried. In the listing of locations, runs marked with a dagger are more specifically reported than in *Texas Newspapers, 1813-1939*, referred to above, and runs or issues marked with an asterisk are reported here for the first time. The volume and number of the earliest and latest issues located are given by way of suggesting the regularity with which each paper was published. Imperfections in individual copies have not been recorded, except for the papers in my collection, because doing so would have increased the length of this appendix unduly.

Counting separately dailies and weeklies issued from the same office, there are entries here for 101 newspapers published or proposed for publication in Texas from 1813 through 1845. Issues of fifty-seven of these have been located, twenty-six more are known only from references to issues, another seventeen were proposed but very probably never published, and one is a special case, the *Gaceta de Texas*, type for whose single issue was set up in Nacogdoches, although it was printed in Natchitoches, Louisiana. In reviewing the following accounts one is struck by the high rate of mortality among these early papers. Only fifteen ran for more than two years, and of those only seven for more than three years. The three problems of pioneer editors in Indiana, which Miss Walker lists in her *Beginnings of Printing in Indiana*, Crawfordsville, 1934, at page 15, "to get paper, to get news, and to get paid," applied with equal force in Texas. The newspapers of the time are full of apologies to their subscribers because publication had had to be suspended for lack of paper. The *Austin City Gazette* of August 7, 1840, for example, in what is perhaps a competitor's exaggeration, asks what "the total stoppage of the *Telegraph* for two or three months indicates." This was almost certainly due to shortage of paper. Undoubtedly the short life of many of the papers resulted from the third difficulty Miss Walker mentions, that of getting paid.

For the most part the Texas papers of this period were issued weekly. Daily newspapers were attempted but usually had a short life. The one continuing for the longest time, and the first Texas daily paper, was the *Morning Star* (Houston). This was issued as a daily from April 8, 1839, through July 11, 1840, and then became a tri-weekly. For two or three months in the winter of 1841-1842 Samuel Whiting's *Daily Bulletin* (Austin) competed with G. H. Harrison's *Daily Texian* (Austin) in publishing the doings of the Sixth Congress. One other attempt was made to publish a daily paper at Houston and eight attempts were made at Galveston, most of them lasting for only two or three months. The dozen semi-weeklies and tri-weeklies included a few hardier specimens. Almost always the object of the papers was the usual one of printing the news, but there were exceptions. What was referred to by a contemporary as "the first literary paper started in our republic," was the *Richmond Telescope*, which in its prospectus was called the *Richmond Telescope and Texas Literary Messenger*. Two other weekly papers, known only by references to them, were the *Rambler* (Austin), "intended for amusement and fun," and the *Town* (Galveston), "devoted to humor, and chit-chat generally and specially." The *Matagorda Bulletin* of February 28, 1838, advertised the *Matagorda Letter-Sheet Prices Current*, a monthly, as just published, but no copies have been located. The *Star of Texas* (Houston), a monthly proposed but apparently never published, had as its object "the Promotion of Religion, Virtue and Morality and the Diffusion of Learning." The object of another monthly, the *Nazarene Advocate* (Matagorda), also known only from its prospectus, was "the revival of the Sect of the Nazarenes in primitive purity." Finally, and this completes the list of publications having objectives other than printing the news of the day, in the fall of 1840 Doctors Richardson and Smith proposed to edit a quarterly medical and surgical journal to be printed at the office of the *San Luis Advocate*, but again no issues appear to have been published.

Among the eighty-three newspapers which were published in Texas before 1846 there are five which stand out. Perhaps the most important is Godwin B. Cotten's *Texas Gazette*, first published at San Felipe de Austin on September 25, 1829. Except for an inter-

regnum of a few months in 1831, when under the name of the *Mexican Citizen* it was published at San Felipe by R. M. Williamson, the *Gazette* continued at San Felipe under Cotten until March, 1832. Next in importance seems to me to be the *Telegraph and Texas Register* which the Bordens, with Joseph Baker, began publishing at San Felipe in October, 1835, and continued at Harrisburg, Columbia, and then Houston, where it soon came under the ownership of Cruger & Moore. The *Telegraph* finally ceased publication in 1877. The *Morning Star*, published from the same office as the *Telegraph*, was first issued in March, 1839, and came under Cruger's management that fall. Hamilton Stuart's *Civilian and Galveston Gazette* was first published at Galveston in September, 1838, and continued until 1886. Charles DeMorse's *Northern Standard* was first published at Clarksville in August, 1842, and lasted until 1888. The *Evening News*, later the *Galveston News*, was first published at Galveston in June, 1843, and is now going strong as the *Dallas Morning News*. In addition to San Felipe, Harrisburg, Columbia, Houston, Galveston, and Clarksville, there were fifteen other Texas towns where newspapers were published before 1846—Austin, Brazoria, Columbus, Huntsville, LaGrange, Marshall, Matagorda, Montgomery, Nacogdoches, Pulaski, Richmond, San Augustine, San Luis, Velasco, and Washington—and newspapers were proposed, but probably never published, in three other places—Crockett, San Antonio and Sarahville de Viesca. Although it should be added that the press became well established before 1846 in only ten of the twenty-one towns in which there was printing, the total is still remarkable for the time and place.

Texas Newspapers Through 1845

[Austin] ALARM BELL OF THE WEST

No copies have been located, but the following appeared in the *Morning Star* (Houston) of February 3, 1842: "Alarm Bell of the West.—A new paper having this startling title, came to hand Tuesday evening with our exchange papers from Austin. It is dated San Antonio, Jan. 22nd, and has for its motto the memorable words 'remember the Alamo!' It is a spirited sheet, and breathes nothing but war and vengeance, and as usual this theme has rendered it truly eloquent and even poetic. We can only say if it never sounds a false alarm, we bid it 'God speed.'" On March 22, 1842, the *Morning Star* reported receipt of the "first and last number" of the *Anti-Quaker* published at Austin, March 12, 1842, and said that it seemed to be "a new edition of the 'Alarm Bell.'" The *Alarm Bell* was probably printed at Austin, since no other San Antonio imprints for the period from July, 1823, through September, 1848, are known, and since its successor was published at Austin. In view of its motto and contents it would have been appropriate to date it from San Antonio.

There is no account of this newspaper in the *Handbook of Texas*.

[Austin] ANTI-QUAKER

No copies have been located. See the reference to it in the preceding sketch.

[Austin] Daily BULLETIN

Daily. November 27, 1841—January 18, 1842.

The prospectus, dated November 27, 1841, and signed by Samuel Whiting, was printed in the issue of December 7, 1841, and the history of the paper is given in the final issue of January 18, 1842. The paper was issued from the office of Whiting's *Austin City Gazette*. Although the heading of the editorial column of all the numbers reads, "Published and Edited by S. Whiting," a report from the Austin correspondent of the *Morning Star* (Houston), dated January 19th, 1842, and reprinted in the *Telegraph* of February 2, announced the discontinuance of the paper, and said that "for some weeks past [it] had been conducted by Mr. C. DeMorse, and had been free from the vulgar abuse that characterized one or two of its first num-

NOTE: Runs marked with a dagger are more specifically reported here than in *Texas Newspapers, 1813-1939*, Houston, 1941. Runs or issues marked with an asterisk are reported here for the first time.

bers." On December 30 the Senate passed a resolution to end their subscription to the *Bulletin* and subscribe instead to the *Daily Texian* (Austin), published by G. H. Harrison.

Tx 1842: Jan. 11-Jan. 15, Jan. 18.

*TxU Nov. 27, 1841-Dec. 10, Dec. 13, 1841-Jan. 18, 1842 (Vol. I, Nos. I-XI, XIII-XL).

*TWS Extra: Jan. 18, 1842 (Entry No. 512).

[Austin] EPITOMIST

No copies have been located, and perhaps the paper was never published. Its prospectus was mentioned in the *Richmond Telescope* of April 27, 1839, and printed in the *Morning Star* (Houston) of May 23 and the *Telegraph* of May 29. The paper was to have been a weekly, with James Burke as editor.

There is no account of this newspaper in the *Handbook of Texas*.

Austin City GAZETTE

Weekly. October 30, 1839—At least August 17, 1842.

This was the first Austin newspaper. The prospectus, dated Austin, September 19, 1839, and signed by Samuel Whiting, was printed in the issue of November 6, 1839. The press and type used were brought from Houston, where Whiting had published the *National Intelligencer*. George K. Teulon was the editor from January 29, 1840, through February 2, 1842. Discontinued at some time after August 17, 1842, the date of the latest issue located, the paper was "renewed" at Austin as the *Western Advocate* in February, 1843, by Teulon and others.

DLC 1840: *May 6.

1841: May 19-May 26.

1842: Jan. 19, Aug. 17 (Vol. III, No. 21).

*DNA 1840: Jan. 6, Dec. 23 (*In* Diplomatic Despatches, Texas, Vol. 1).

NN Oct. 30, 1839-Mar. 2, 1842.

†Lacking: June 10, 1840.

†Extras: [Aug. 26, 1840] (Entry No. 391), [Sept. 16, 1840] (Entry No. 391, note), Oct. 29, 1841 (Entry No. 435).

†Tx 1839: Oct. 30 (Vol. I, No. 1)-Nov. 6, Nov. 27-Dec. 4.

1840: Jan. 1, Jan. 15-Feb. 5, Feb. 19-Mar. 4, Mar. 18, Apr. 8-Apr. 15, Apr. 29-Dec. 16, Dec. 30.

1841: Jan. 6, Jan. 20-Jan. 27, Feb. 10-Mar. 3, Mar. 17-Sept. 22, Oct. 6-Nov. 17, Dec. 1-Dec. 29.

1842: Jan. 5-Jan. 26, Feb. 9-Feb. 23, Mar. 30.

Extras: Oct. 29, 1841 (Entry No. 435), [Mar. 8, 1842] (Entry No. 502).

TxSangM 1840: Aug. 12.

TxU 1842: Mar. 23.

TxWFM 1841: Dec. 15.

Extra: [Aug. 26, 1840] (Entry No. 391).

[Austin] LONGER'S ADVANCE

Although this newspaper is listed in *Texas Newspapers, 1813-1939*, as having been published in 1840, no references to it have been found in contemporary newspapers or elsewhere.

[Austin] NEW ERA

Weekly. July 23, 1845—August or early September, 1845.

The *New Era* was issued from the office of Miner & Cruger, printers for the Convention of 1845, with Miner named in the issues as its publisher. Since the paper was established to publish the proceedings of the Convention of 1845, it probably closed soon after the adjournment of the Convention on August 28, 1845. Its printing establishment had been used earlier in publishing the *Austin City Gazette* and the *Western Advocate* (Austin). In October, 1845, the press was bought by John G. Chalmers. The prospectus of his *New Era*, dated October 20 and signed by him as "Editor and Proprietor," appeared in the *Texas National Register* (Austin) of November 22. No issues of his paper had been published by the end of the year.

*DNA 1845: July 30 (Vol. I, No. 2. In State Department Archives, Department of State, Miscellaneous Letters).

*Tx 1845: July 30.

*TWS 1845: July 23 (Vol. I, No. 1).

[Austin] RAMBLER

This paper, a weekly, was announced to begin on March 13, 1841, with George W. Morris as its publisher, printer, and editor. A prospectus, dated March 17, was printed in the *Texas Sentinel* (Austin) of March 25, 1841. In the *Morning Star* (Houston) of April 3, the editor reported having seen the first two numbers. No copies have been located.

[Austin] TEXAS NATIONAL REGISTER

Weekly. November 15, 1845—December 27, 1845+.

Moved from Washington, Texas, where it had been published from December 7, 1844, through October 9, 1845. As is pointed out in the *Handbook of Texas*, the paper was published at Austin by John S. Ford and Michael Cronican.

*TxU 1845: Nov. 15-Dec. 27 (Vol. I, Nos. 45-51).

[Austin] TEXAS SENTINEL

January 15, 1840—November 11, 1841. Semi-weekly, January 15—February 8, 1840; weekly from February 12, 1840.

Title varies. Given in prospectus as *Texas Centinel*, but issued as *Texas Sentinel* through Vol. II, No. 14, March 11, 1841; as *Texas Centinel*, Vol. II, No. 16, March 25, 1841, and following; no copy of Vol. II, No. 15, March 18, 1841, located.

The prospectus, dated Austin, November 8, 1839, and signed by George W. Bonnell and Jacob W. Cruger, was printed in the *Morning Star* (Houston) of November 13, 1839. This was an added venture for Cruger, who was publishing the *Telegraph* at Houston, in partnership with Francis Moore, and the *Morning Star* from the same office, on his own account. With the dissolution of the Bonnell and Cruger partnership on July 28, 1840, Bonnell continued the publication of the paper until late in the year. In the issue of December 26, 1840, there was a notice that ownership of the paper has "late-ly changed hands." At or about that time Jacob Cruger, with Martin Carroll Wing as his partner, took over the paper. The *Morning Star* of January 9, 1841, reported that Cruger had become editor. The *Sentinel* of November 11, 1841, announced the sale of the paper to Gen. G. H. Harrison, who published the *Daily Texian* and the *Weekly Texian* in its place.

DLC 1840: Feb. 5, Apr. 15.

*DNA 1841: Jan. 16 (*In Diplomatic Despatches*, Texas, Vol. 1).

ICN 1840: Jan. 22, Sept. 26.

NcU 1840: Apr. 29.

Tx 1840: Jan. 25, Mar. 4.

1841: Jan. 23—Jan. 30, Feb. 18, Apr. 22—May 13, July 22—July 29, Aug. 19—Aug. 26

Extra: July 8, 1841 (Entry No. 493).

*Supplements: July 15, 1841 (Entry No. 495), Aug. 16, 1841 (Entry No. 496).

†TxU 1840: Apr. 29, June 13, July 4—July 25, Nov. 14.

1841: Mar. 18.

TxWFM 1840: Jan. 15 (Vol. I, No. 1)—May 30, *June 13—Aug. 1, Aug. 15—Dec. 12, Dec. 26.

1841: Jan. 2—Mar. 11, Mar. 25—Sept. 9, Sept. 23, Oct. 7—Oct. 14, Oct. 28—Nov. 11 (Vol. II, No. 50).

Extras: Mar. 23, 1840 (Entry No. 398), July 15, 1841 (Entry No. 494).

*Supplements: July 15, 1841 (Entry No. 495), Aug. 19, 1841, Sept. 2, 1841 (Entry No. 497).

*TWS 1840: Apr. 22.

1841: Sept. 30.

Extras: Mar. 23, 1840 (Entry No. 398), July 15, 1841 (Entry No. 494).

[Austin] Daily TEXIAN

Daily. On or just before November 13, 1841—About February, 1842.

The *Colorado Gazette and Advertiser* (Matagorda) of November 27, 1841, reported that they had received the issue of the weekly *Texas Sentinel* of the 11th "and the *Daily Texian* of the 13th; this is a new paper just started by a Genl. Harrison, who has purchased out Cruger & Wing, the late owners of the Centinel concern." The prospectus, reprinted in the *Daily Texian* of December 18, 1841, and the *Telegraph* of January 5, 1842, announced: "This paper is designed to communicate daily intelligence of the two houses of Congress. It will contain a complete transcript of the Journals of the Senate and House of Representatives." The daily issues were probably discontinued about February 5, 1842, the date of the adjournment of the first session of the Sixth Congress.

DLC 1841: Dec. 11 (Vol. I, No. 16).

Tx 1842: Jan. 11, Jan. 13, Jan. 18.

TxU 1841: *Dec. 18.

1842: *Feb. 1, Feb. 2 (Vol. I, No. 47).

[Austin] Weekly TEXIAN

Weekly. November 25, 1841—June, 1842.

As shown in the preceding sketch, the *Weekly Texian* followed the *Texas Sentinel* (Austin). The issue of November 25, 1841, said the editor intended to support "the coming administration of Gen. Houston." The paper was moved to Washington, Texas, by July 6, 1842, and continued there as the *Texian and Brazos Farmer*.

DLC 1841: Dec. 22.

TxU 1842: Jan. 12.

TxWFM 1841: Nov. 25 (Vol. I, No. 1)—Dec. 1, Dec. 15, Dec. 29.

1842: Jan. 5—Feb. 16, Mar. 9 (Vol. I, No. 16; editorial column dated Mar. 15).

[Austin] WESTERN ADVOCATE

Bi-weekly. February 4? 1843—February, 1844. Suspended July ?—September or October, 1843.

The prospectus, dated Austin, February 4, 1843, and signed by George K. Teulon, was issued separately (Entry No. 578), and also printed in the *Telegraph* of March 15, 1843. The paper is spoken of as a "renewal" of the *Austin City Gazette*, of which the latest issue recorded is that of August 17, 1842. Since the second number was "forwarded by mail on [Monday] the 20th February (editor's letter, issue of April 15)," and since Saturday was the regular day of issue, the second bi-weekly number was probably published on February 18 and the first on February 4. The *Red-Lander* (San Augustine) of November 25, 1843, referred to the resumption of publication of

the *Advocate* after a suspension of several months. The *LaGrange Intelligencer* of February 22, 1844, referred to having received its closing number. Apparently the same press was used in 1845 to print the *New Era* at Austin.

ICN 1843: Apr. 1 (Vol. I, No. 4)—Apr. 15.

Tx 1843: June 24 (Vol. I, No. 10).

[Brazoria] ADVOCATE OF THE PEOPLE'S RIGHTS

Weekly. On or before November 23, 1833—March 27, 1834.

Dr. Barker, in his "Notes on Early Texas Newspapers," shows that the paper was begun by John A. Wharton on or before November 23, 1833, and was discontinued by him with the extra of March 27, 1834, because the public had "withheld the support necessary to its existence." The type used indicates that the paper was printed on the press which had formerly been used by D. W. Anthony in printing the *Constitutional Advocate* at Brazoria. Although Oliver H. Allen appears alone as editor and publisher of the issue of February 22, 1834, he was publisher in name only. The press was next used in July to publish the *Texas Republican* (Brazoria).

TxU 1834: Feb. 22 (Vol. I, No. 8).

*Extra: Mar. 27, 1834 (Entry No. 42).

[Brazoria] BRAZOS COURIER

Weekly. February 17? 1839—At least December 22, 1840.

R. L. Weir was the printer as well as the publisher of this paper. Nothing else about Weir seems to be recorded.

*TxGR 1840: Sept. 1.

†TxU 1839: Dec. 3 (Vol. I, No. 42).

1840: Mar. 3, Mar. 17—Apr. 7, Apr. 21—May 12, June 2—June 16, June 30, July 14—July 28, Aug. 4, Aug. 11, Sept. 1—Oct. 27, Nov. 17—Dec. 1, Dec. 22 (Vol. II, No. 42).

*TWS 1840: May 19.

[Brazoria] BRAZOS PLANTER, *see* PLANTER

Although there are references in the newspapers of 1845 to the *Brazos* (or *Brazoria*) *Planter*, and the paper is listed under that name in the *Handbook of Texas*, its title was simply the *Planter*.

[Brazoria] CONSTITUTIONAL ADVOCATE AND TEXAS PUBLIC ADVERTISER

Weekly. August 29? 1832—July or August, 1833.

Although D. W. Anthony in announcing, in the *Texas Gazette and Brazoria Commercial Advertiser* of July 23, 1832, that the press of the *Gazette* had been transferred to him said that the paper would thereafter be called the *Constitutional Advocate and Brazoria Advertiser*, all the issues located appeared under the title given above. The prospectus, dated Brazoria, July 30, 1832, and signed by Anthony, was reprinted in the issue of September 12, 1832. The latest issue located is that of July 20, 1833, and Anthony died of the cholera soon afterwards. His press was next used in November to publish the *Advocate of the People's Rights* at Brazoria.

DLC 1833: June 15.

TxGR 1832: Sept. 5 (Vol. I, No. 2).

*TWS 1832: Sept. 12 (lacks second leaf), Oct. 17, Nov. 14.

1833: May 11, June 8–June 22, July 20 (Vol. I, No. 41).

[Brazoria] EMIGRANT

A prospectus for this paper, signed by Benjamin Franklin Cage, and Franklin C. Gray, appeared in the last issue of the *Advocate of the People's Rights* (Brazoria), the extra of March 27, 1834, but no copies have been located and probably the paper was never published. On July 5, 1834, Gray and A. J. Harris began the publication of the *Texas Republican* at Brazoria.

There is no account of the *Emigrant* in the *Handbook of Texas*.

[Brazoria] PEOPLE

Weekly. February 14? 1838—June or July, 1838.

A prospectus for this paper, dated December 11, 1837, appeared in the *Texas Chronicle* (Nacogdoches) of February 28, 1838. The *People* was printed on a press which Algernon P. Thompson and Dr. Léger had borrowed from Lamar under an agreement dated January 25, 1838 (*Lamar Papers*, Vol. II, p. 29). The press had previously been used to print the *Velasco Herald*. Apparently sometime before May 2, 1838, ownership of the press was transferred from Lamar to J. S. Jones (*Lamar Papers*, Vol. II, p. 154), for on May 16 Robert E. Handy reported to Lamar in a letter written from Richmond, Texas, that he had "purchased the press of Mr. Jones on which the 'People' is now printed" for \$900, delivery to be on August 1 (*Lamar Papers*, Vol. II, p. 158). The latest reference noticed to an issue of the *People* is in a letter to Léger & Thompson dated June 12, 1838 (*Lamar Papers*, Vol. II, p. 163).

*TxU 1838: Apr. 18 (Vol. I, No. 10).

*TWS 1838: May 30 (Vol. I, No. 16).

[Brazoria] PLANTER

Weekly. Early 1845—December, 1845+.

The paper was begun at Columbia in September or November, 1842, as the *Planters' Gazette*, but by August 19, 1843, the date of the first issue located, its title was simply the *Planter*. At some time between December 27, 1844, and March 30, 1845, the press was moved from Columbia to Brazoria. Samuel J. Durnett was the publisher and proprietor of the paper from the beginning to its conclusion in 1846.

*TWS 1845: Nov. 14 (Vol. III, No. 36); lacks second leaf.

[Brazoria] SINGLE STAR

The following reference to this paper appeared in the *Telegraph* of November 11, 1837: "A new paper styled the 'Single Star,' has just made its appearance at Brazoria. We trust it will prove no transient meteor." It is listed in *Niles' National Register* (Washington, D. C.) of February 10, 1838, where it is called the "Signal Star," as one of the "five weekly newspapers now published in the republic of Texas."

[Brazoria] TEXAS GAZETTE AND BRAZORIA COMMERCIAL ADVERTISER

Weekly. April 14, 1832—July 23, 1832.

A continuation, under a new title and with new numbering, of the *Texas Gazette* published by Cotten at San Felipe through about March 15, 1832. In an extra of the new paper published July 23, 1832, D. W. Anthony announced, "The Press of the 'Gazette' having been transferred to the subscriber, will hereafter be conducted under the style of *The Constitutional Advocate and Brazoria Advertiser*," but Anthony's paper actually appeared as the *Constitutional Advocate and Texas Public Advertiser*.

TxU Extra: July 23, 1832 (Entry No. 33).

*TWS 1832: Apr. 14 (Vol. I, No. 1).

Extra: July 23, 1832 (Entry No. 33).

[Brazoria] TEXAS REPUBLICAN

Weekly. July 5, 1834—At least March 9, 1836.

The paper was published by Franklin C. Gray and A. J. Harris through November 8, 1834. With the next issue, that of November 29, Gray announced himself as the sole proprietor and denied a report that the policy of the paper would be controlled by the Whartons. A. C. Gray in his "His-

tory of the Texas Press" says that publication continued until August, 1836, and his assertion is supported by Gray's publication of separate pieces in July and August of that year (Entries No. 175 and 124).

CtY 1835: July 25, Aug. 22.

*Tx 1834: Dec. 13.

1835: July 25.

*TxHSJM 1835: Dec. 2.

TxU 1834: July 5 (Vol. I, No. 1), Oct. 25–Nov. 8.

1835: Jan. 3, Feb. 14, Mar. 14–Apr. 11, May 2–May 9, May 30–July 4, July 18–July 25, Aug. 8, Aug. 22–Aug. 29, Sept. 19–Nov. 14.

1836: Jan. 6 (clipping), Mar. 2–Mar. 9 (Vol. I, No. 77).

*State

Archives,

Saltillo, 1834: Nov. 29.

Mexico

*TWS 1834: July 12, Dec. 27.

1835: Jan. 17, Feb. 14, July 25, Dec. 2–Dec. 30.

1836: Feb. 3, Feb. 17.

[Brazoria] TEXAS TELEGRAPH AND LAND GAZETTE

Although a newspaper with this title is listed in *Texas Newspapers, 1813–1939* as having been established at Brazoria in August of 1835, no references to it have been found in contemporary newspapers or elsewhere.

[Brownsville] AMERICAN FLAG

This newspaper is entered in the *Union List of Newspapers* and *Texas Newspapers, 1813–1939* as begun at Brownsville, possibly in 1844. As pointed out by McMurtrie in his "Pioneer Printing in Texas," in the *Southwestern Historical Quarterly* for January, 1932, Vol. XXV, at page 191, on the basis of information gathered by Mrs. Lota M. Spell, the paper was actually begun on June 1, 1846 at Matamoras, at the time of the Mexican War, as the *Republic of the Rio Grande*. It was renamed the *American Flag* before September 26, 1846, the date of the earliest issue located, Vol. I, No. 36 (copy at the American Antiquarian Society). The paper was moved to Brownsville at some time between the issues of January 3, 1847 [*i.e.* 1848], and November 1, 1848.

[Clarksville] NORTHERN STANDARD

Weekly. August 20, 1842—December 24, 1845+.

A prospectus, dated January 13, 1842, and signed by Charles DeMorse and M. Carroll Wing, was printed in the *Telegraph* of January 20, 1842, but the first number was not published until August 20, 1842. That issue has an interesting account of the causes of the delay in beginning publication. When

the paper was finally issued DeMorse appeared alone as editor, proprietor and publisher. Wing is said to have worked on the paper as a printer, presumably until he left Texas with the Mier Expedition in December, 1842. None of the accounts of DeMorse seen have noted that when practicing law in Matagorda he was at one time a partner of Ira R. Lewis and that an advertisement in the *Colorado Gazette and Advertiser* of June 6, 1839, recorded the dissolution of that partnership on May 12, 1839.

DLC 1842: Oct. 15.

TxU Aug. 20, 1842 (Vol. I, No. 1)—Dec. 24, 1845⁺.

†Lacking: Mar. 30, 1843; Jan. 6, Jan. 20, 1844; July 19, 1845.

[Columbia] PLANTERS' GAZETTE later the PLANTER

Weekly. Before November 30, 1842—Early 1845. Continued at Brazoria.

The paper began as the *Planters' Gazette* (in full, *The Planters' Gazette, and Brazoria, Velasco, Quintana, Orizimbo, Bolivar & Fort Bend Advertiser*, according to the *Red-Lander* [San Augustine] of May 13, 1843), but by August 19, 1843, the date of the first issue located, the title was simply the *Planter*. A prospectus dated September 1, 1842, and signed by Samuel J. Durnett, in which it was proposed to publish the first number "on or about the first of October," was printed in the *Texas Times* (Galveston), November 6, 1842. The *Times* acknowledged receipt of two numbers in its issue of November 30, and the *Telegraph* receipt of the first number in its issue of December 7. The last issue published at Columbia so far located is that of December 27, 1844. A reference to the paper in the *LaGrange Intelligencer* of March 30, 1845, indicates that it had been moved to Brazoria by that date.

*DNA 1844: Dec. 27 (Vol. II, No. 49. *In* Diplomatic Despatches, Texas, Vol. 2).

*Tx Extra: Jan. 28, 1845 (Entry No. 624; place of publication not stated).

*TxU 1843: Aug. 19 (Vol. I, No. 37), Sept. 9, Sept. 23, Dec. 2.
1844: Feb. 10, Mar. 22, Apr. 5.

*TWS Supplement: Dec. 23, 1844 (Entry No. 584).

[Columbia] TELEGRAPH AND TEXAS REGISTER

Weekly. August 2, 1836—April 11, 1837. Continued at Houston. Semi-weekly in the weeks of November 7, November 14, December 5, December 12, 1836, January 2, January 9, and January 16, 1837, in part during the first session of the First Congress.

Published at San Felipe from October 10, 1835, through March 24, 1836 (Vol. I, No. 1—Vol. I, No. 21); one number published at Harrisburg, April 14, 1836 (Vol. I, No. 22); publication resumed at Columbia, August 2, 1836

(Vol. I, No. 23); press moved to Houston after the issue of April 11, 1837 (Vol. II, No. 14), where publication was resumed May 2, 1837 (Vol. II, No. 15). For a short note on the *Telegraph* see its entry under Houston.

DLC Sept. 13, 1836-Apr. 11, 1837.

†Lacking: Sept. 20, Nov. 19, Nov. 23, 1836.

MH 1836: Nov. 9.

*MWA 1836: Oct. 11-Dec. 13.

1837: Feb. 14-Feb. 21, Mar. 21.

NN 1837: Jan. 21, Mar. 7.

Tx Aug. 9, 1836-Apr. 11, 1837.

Lacking: †Dec. 9, 1836; Jan. 11, †Jan. 21, Feb. 28, 1837.

*TxDaHi 1836: Aug. 16, Aug. 30-Sept. 20, Oct. 11, Nov. 2, Nov. 12-Nov. 16.

1837: Jan. 3-Jan. 11.

TxGR Aug. 2, 1836-Apr. 11, 1837.

†Lacking: Feb. 28, 1837.

TxU Aug. 2, 1836-Apr. 11, 1837.

†Lacking: Dec. 13, 1836.

*TWS Aug. 2, 1836-Mar. 7, 1837 (John P. Borden's bound file, with his signature and the date May 13th, 1837, on the fly leaf).

Columbus HERALD

No copies have been located, and perhaps the paper was never published. The following notice appeared in the *Austin City Gazette* of May 6, 1840: "We have been informed that on or about the 4th of July next, there will be published at Columbus on this river, a new journal, to be called 'The Columbus Herald': Dr. Thomas Wilson, editor and proprietor."

There is no account of this newspaper in the *Handbook of Texas*.

Columbus SENTINEL AND HERALD

No copies have been located, but a paper of this name was apparently published at Columbus, Texas, in 1839. The *Colorado Gazette and Advertiser* (Matagorda) of August 22, 1839, quoted an item on the recent break in the drought from "the *Columbus Sentinel and Herald* of the 11th inst.," and it seems unlikely that the news could have come from outside Texas within eleven days. No other references to the newspaper have been found and there is no sketch of it in the *Handbook of Texas*.

[Crockett] TEXAS FARMER

No copies have been located, and perhaps the paper, which was to have been a weekly, was never published. A prospectus, dated February 7, 1842, and signed "L. M. H. Washington & Co.," appeared in the *Weekly Texian* (Austin), February 16, 1842. The prospectus stated that a press had already been purchased, and that if there was sufficient encouragement the first

number would be issued as soon as the press and materials could be removed from the Brazos.

There is no account of this newspaper in the *Handbook of Texas*.

[Galveston] Daily ADVERTISER

Daily. November 1, 1841 or soon thereafter—April or early May, 1842.

A prospectus, dated October 8, 1841, and signed by A. J. Yates, who was also at this time the editor of the *National Intelligencer* (Galveston), appeared in the *Telegraph* of December 22, 1841. The *Advertiser* was to be printed at the office of the *National Intelligencer*. It was proposed to publish the first issue of the *Advertiser* on November 1, and this was probably done, since the *Morning Star* (Houston) acknowledged receipt of the paper in its issue of November 9, 1841. In the issue of February 26 A. J. Yates and James Burke were listed as the editors. The *Morning Star* (Houston) of May 12, 1842, reported that publication of the *Advertiser* had "been suspended for a season, owing to want of paper." Apparently publication was not resumed. The *Handbook of Texas* has an interesting sketch of Yates.

DLC 1842: Feb. 26 (Vol. I, No. 85).

[Galveston] CIVILIAN AND GALVESTON GAZETTE

September 28? 1838—December 17, 1845+. Weekly at first; semi-weekly from about November 18, 1839, when an announcement of the change appeared in the *Morning Star* (Houston).

Title varies in issues located: *Civilian and Galveston Gazette*, October 19, 1838—July 27, 1842; *Civilian and Galveston City Gazette*, August 17, 1842—September 23, 1843; *Civilian and Galveston Gazette*, October 7, 1843—December 17, 1845.

According to the undated and unsigned prospectus, reprinted in the issue of January 11, 1839, the newspaper was "a combination of the 'Civilian,' recently published at Houston, with the 'Gazette,' a new paper which was about to be established at this place when the two were blended."

DLC 1838: Oct. 19 (Vol. I, No. 4).

1839: Jan. 11, May 17.

1840: Nov. 4.

†1842: Apr. 16—Apr. 23, July 24—July 27, Aug. 17—Aug. 24, Sept. 7—Sept. 24, Oct. 1—Oct. 12, Oct. 22—Oct. 26, Nov. 2, Dec. 21, Dec. 28—Dec. 31.

†1843: Jan. 7—Jan. 18, Jan. 28—Feb. 1, Feb. 8, Feb. 18—Feb. 25, Mar. 15, Mar. 22, Apr. 22—Apr. 26, Sept. 23, Oct. 7, Oct. 14, Oct. 18, Nov. 29, Dec. 2, Dec. 9, Dec. 20.

- 1844: Jan. 6, Jan. 24, Jan. 31, Apr. 17, July 13.
 1845: July 19, Dec. [13].
 *DNA 1842: Mar. 8–Mar. 12 (*In Diplomatic Despatches, Texas, Vol. 1*).
 1844: June 8 (*In Consular Despatches, Galveston, Vol. 2*), July 13 (*In Diplomatic Despatches, Texas, Vol. 2*).
 ICN 1842: July 2, July 27, Aug. 10–Aug. 13, Oct. 1.
 1843: Feb. 18, May 20, May 27, June 24.
 TxGR 1842: Nov. 12.
 †1843: Jan. 4, Jan. 11, Jan. 21–Feb. 22, Mar. 4–Mar. 18, Mar. 25–Mar. 29, Apr. 5–Apr. 8, Apr. 15–Apr. 26, May 3, May 10, May 17, May 27–May 31, June 10; Saturday issues only, June 24–July 29, Sept. 2–Sept. 23, Oct. 7–Nov. 4, Nov. 18–Nov. 25, Dec. 9–Dec. 30.
 †1844: Saturday issues only, Jan. 6–May 11; Wednesday May 15; Saturday issues only, May 18–Nov. 2, Nov. 16–Dec. 28.
 TxU 1844: June 1, June 12.
 1845: Dec. 17.
 *TWS Extra: Mar. 21, 1842 (Entry No. 509).

[Galveston] COMMERCIAL CHRONICLE

Weekly. Before August 2, 1842—At least December, 1842.

The first number of the paper was received at Houston on August 2, 1842 (*Morning Star*, August 4, 1842), and its statement of policy, as announced by its publisher, Samuel Bangs, was reprinted in the *Telegraph* of August 10, 1842. The *Texan Times* (Galveston) of December 21, 1842, speaks pleasantly of Bangs when it refers to him as "Editor, Printer, Publisher and Proprietor." The paper was "revived" on August 1, 1843, as the *Independent Chronicle* (Galveston). No copies have been located.

[Galveston] COMMERCIAL INTELLIGENCER

Weekly. July, 1838—At least January 12, 1839.

This was the first Galveston newspaper. Its prospectus, reprinted in the issue of September 21, was dated, "Galveston City, July 1, 1838." The issue of July 27, 1838, the earliest located, was "Published . . . by Samuel Bangs, for the Proprietors." Bangs may have continued as the printer of the paper, but by November 24, 1838, it was published by John S. Evans, "Editor and Proprietor," and he appeared as such in the issue of January 12, 1839, the latest located. That issue also carried a notice that in the future all accounts of the paper would be presented and receipted by George H. French. Although the *Handbook of Texas* says that the paper was published until late 1839 or early 1840, a letter from Evans to Mirabeau B. Lamar (*Lamar Papers*, No. 1354, Vol. V, p. 297-298), dated June 29, 1839, shows that the paper had been discontinued before the end of June, 1839. The *Handbook* makes no reference to the connection of Bangs with the paper. The anonymous sketch of printing in Galveston in the *Galveston Directory for 1859-60*,

Galveston, 1859, says (at page 90) that the paper ceased to be issued early in 1839.

TxGR 1838: July 27 (copy not located Aug. 5, 1953; photostat at TxU).

*TWS 1838: Sept. 15 (Vol. I, No. 8), Nov. 24.

1839: Jan. 12 (Vol. I, No. 21).

[Galveston] Daily COURIER

April, 1840—May, 1841. Daily; tri-weekly during July, August and September, 1840, and perhaps later.

The first and second numbers had been received by the *Telegraph* by April 15, 1840, Joel T. Case was the first editor, but the contemporary papers do not name the first publisher. The *Texas Sentinel* (Austin) of May 9, 1840, in commenting on the recent appearance of the *Galvestonian* and the *Daily Courier* remarks that "Galveston is perhaps the only city in the world which at two years old could boast of two daily papers and one semi-weekly paper." The *Morning Star* (Houston) of May 26, 1840, noted that the paper had changed hands and was then being published by J. T. Case and D. E. Smith. A "Mr. Edmunds" is referred to as the *pro tem.* editor by the *Morning Star* of January 21, 1841. On May 19, 1841, the *Morning Star* reported that the *Courier* had "'gone out,' and given place to a new paper styled 'the People's Advocate.'" No copies of the *Courier* have been located.

[Galveston] CROAKER

A. C. Gray in his "History of the Texas Press" says that the *Croaker* was published for a short time in 1842. According to a list quoted by Stuart from the *Civilian and Galveston Gazette* of June 12, 1842, the *Croaker* was one of the papers begun and discontinued at Galveston within the four preceding years.

[Galveston] GALVESTONIAN, 1839

Tri-weekly. March 20? 1839—At least November, 1839.

This is the first of three papers of the same name published at Galveston. The earliest issue located, Volume I, No. 2, March 27, 1839, was published by John Gladwin, "proprietor, editor and printer." In it he pointed out that "some little delay will probably occur before the regular tri-weekly publication of the *Galvestonian*." The issue of May 16 was published by John Gladwin and William D. Mims. The paper survived at least into November, for the following reference appeared in the *Morning Star* (Houston) of November 18, 1839: "The publication of the *Galvestonian*, it appears, is not discontinued, as was imagined by the melancholy decease of

its former editor, John Gladwin, Esq. It is now under the direction of David Davis, Esq., and makes its appearance in an enlarged form."

The article, "Printing in Galveston," in the *Galveston City Directory*, 1859, at page 89, which is followed by Mrs. Spell in her article on Bangs in the *Southwestern Historical Quarterly* for April, 1932, Vol. XXXV, p. 267-278, incorrectly states that the *Galvestonian* "began to be issued from the office of Mr. Bangs" in the spring of 1839. Sam Acheson in his *35,000 Days in Texas, A History of the Dallas News and Its Forebears*, New York, 1938, falls into the same error. It was the third paper called the *Galvestonian*, which began publication in March, 1841, that was published by Bangs.

IU 1839: May 16 (Vol. I, No. 15).

TxU 1839: Mar. 27 (Vol. I, No. 2).

[Galveston] GALVESTONIAN, 1840

Daily. March 23, 1840—At least June, 1840.

This, the second *Galvestonian*, was edited by Henry R. French a brother of George H. French and a brother-in-law of Samuel Bangs. It is quite possible that Bangs worked as a printer on the paper. The following account of the paper was printed in the issue of April 4, 1840: "The Daily Galvestonian has now been in operation just two weeks. When we commenced the publication of it, we had some scruples as to whether it would be advisable to print as large an edition as we had been accustomed to do, on the semi-weekly paper, as we thought it probable that some of our subscribers would not care to take a daily paper; our objections, were, however, overruled, and the usual number printed. The first week, finding our subscription list swelling a little, we printed 50 extra copies, and at the close of the present week, we find it necessary to put on an additional 50, in order that none of our subscribers might be neglected." No copies of the semi-weekly paper referred to have survived, and no evidence has yet been discovered indicating how long the publication of the daily and weekly continued. By June 15 the paper was owned by Davis & French, who on that date submitted a bill to the Secretary of State for advertising in the issue of June 9.

DLC 1840: Apr. 3-Apr. 4.

[Galveston] GALVESTONIAN, 1841-1842

Daily. March 30, 1841—Early 1842.

A prospectus of this, the third *Galvestonian*, was printed in its second issue, March 31, 1841. The paper was published by Samuel Bangs and edited by his brother-in-law, George H. French, "late editor of the Houston Musquito." According to a contemporary newspaper, the appearance of the *Gal-*

vestonian was "rather 'a la militaire;' it has at its head Gen. Sam Houston for President, and Gen. M. Hunt for Vice President. However, we Texians are all generals, colonels, or majors." According to the *Austin City Gazette* of July 14, the editors by that date were G. H. and H. R. French. They also appeared as editors in the December issues, the latest located. The *Galvestonian* was certainly published through the beginning of 1842 for a carrier's address for January 1, 1842, has been located (Entry No. 517), but it is unlikely that it continued after April 11, 1842, when G. H. French began the publication of the *Daily News* at Galveston.

DLC 1841: Mar. 31 (Vol. I, No. 2)—Apr. 1, Dec. 6—Dec. 7.

[Galveston] Weekly GALVESTONIAN, 1841-1842?

Weekly. May 8, 1841—Early 1842?

Only the first number of this paper, then printed and published by Samuel Bangs and edited by George H. French, has been located. It was probably published as the weekly edition of the third *Galvestonian*, and may have run until that paper was discontinued. Its full title, given at the head of the first column and the editorial column, was "Weekly Galvestonian and Ladies' Saturday Evening Visiter [*sic*]."

DLC 1841: May 8 (Vol. I, No. 1).

[Galveston] Daily GLOBE AND GALVESTON COMMERCIAL CHRONICLE

Daily. November, 1845—December, 1845.

The earliest notice of the paper discovered thus far was printed in the *Morning Star* (Houston) of November 13, 1845. The *Telegraph* of November 19, 1845, reported that B. F. Neal was editor and Samuel Bangs the publisher. The *Handbook of Texas* points out that it must have ended in December, 1845, since Bangs was printing the *Corpus Christi Gazette* on January 1, 1846. No copies have been located.

Galveston Morning HERALD

Daily. December, 1840—Late April or early May, 1841.

This paper was printed at the office of the *Civilian and Galveston Gazette*. S. S. Callender appeared as publisher in a notice announcing a Houston agent for the paper which was published in the *Morning Star* (Houston) of December 8, 1840. The *San Luis Advocate* of December 10, 1840, reported that the paper had been started, and the *Weekly Galvestonian* of May 8, 1841, "regrets to announce to the public the death of the spicy little Herald."

The obituary of John S. Evans in the issue of April 24, 1841, said that "he had been for some time back the able and talented assistant editor of the Herald." The *Handbook of Texas* quotes *Texas Newspapers, 1813-1939* to the effect that a Galveston *Morning Herald* started publication in April, 1841, and continued until July. This seems to be erroneous. A manuscript certificate in the Texas State Archives (Comptroller's Military Service Records) shows that Sidney Smith Callender "became a member of the New Orleans Volunteer Greys on the 22d October 1835. - - was elected Orderly Sergeant of the Corps," and was honorably discharged at Refugio on January 26, 1836.

*TWS 1841: Apr. 24 (in this copy only p. [2]-[3] were printed; p. [1] and [4] are blank). (From the papers of the family of John S. Evans, whose obituary is printed on page [2]. It may be that extra copies were printed, with pages [1] and [4] left blank, in order to give a wider distribution to the obituary.)

[Galveston] INDEPENDENT CHRONICLE

Weekly. August 1, 1843—At least January, 1844.

This paper was a revival of the *Commercial Chronicle* (Galveston). The prospectus, signed by Samuel Bangs, "Editor, Printer, Publisher & Proprietor," was reprinted in the issue of October 15, 1843. Contemporary newspapers reported the cut of a ship under full sail at the head of the editorial column and referred to Bangs as the "Commodore." The latest reference to the *Chronicle* noted appeared in the *Northern Standard* (Clarks-ville) of February 10, 1844, where it is referred to as "a small, lively, humorously edited sheet, [which] goes in strongly for the Navy in particular and for patriotism and the Constitution in general."

*MWA Extra: Aug. 1, 1843; also designated Vol. I, 2d Qta., No. 1 (Entry No. 560).

[Galveston] Semi-weekly JOURNAL

Texas Newspapers, 1813-1939 follows the *Union List of Newspapers* in suggesting that this paper may have begun publication in 1842. Since the earliest issue located, that for March 22, 1850, at the University of Texas, is Vol. I, No. 13, the newspaper apparently began publication in February, 1850.

[Galveston] NATIONAL INTELLIGENCER

Weekly; semi-weekly. Before July 18, 1841—May? 1842.

The *Intelligencer* is described in the *Colorado Gazette and Advertiser* (Matagorda) of August 7, 1841, as being "from the ashes of the [People's] Advocate" (Galveston), which, as noted below, had had a life of only two

or three months. The *Morning Star* (Houston) of July 18, 1841, reported the *Intelligencer* as having "lately made its appearance" and as being edited by A. J. Cody, continuing with the statement, "It supports David G. Burnet for President, and General M. Hunt for Vice-President." Not long afterwards the *Morning Star* of August 10 reported that A. J. Yates had succeeded Cody as editor and that the *Intelligencer* was to be issued twice a week. The *Texas Centinel* (Austin) for August 19 reported the change in editors and that for Vice-President the paper now supported Gen. Burleson. Burnet was still its candidate for President. Yates's prospectus of October 8, 1841, for issuing the *Daily Advertiser* from the same office as the *Intelligencer* beginning November 1 was reprinted in the *Telegraph* of December 22, 1841. The *Intelligencer*, either as a weekly or a semi-weekly, was certainly continued through the first part of 1842, for it is referred to in the *Telegraph* of August 10, 1842, as a paper "lately published" at Galveston. It may have been discontinued about May, 1842, at the same time as the *Daily Advertiser*. No copies have been located.

[Galveston] Daily NEWS

Daily. April 11? 1842—At least early May, 1842.

This paper has been incorrectly described in the *Handbook of Texas* in the article on the *Galveston News* and in Acheson's *3500 Days in Texas, A History of the Dallas News*, New York, 1938, as the forerunner of the *Galveston News*, which with its successors had a distinguished career in Galveston and later as the present *Dallas News*. Stuart makes it clear that the *Evening News*, which began in June, 1843, and not this *Daily News*, was the forerunner of the *Galveston News*. Stuart (p. 54-59) says this *Daily News* lasted only a month or so and refers to an article in the *Galveston Civilian and Gazette* of June, 1842, "where it is mentioned among the papers previously printed at Galveston that had ceased to exist, followed by the positive assertion that on that date (June, 1842) the *Civilian and Gazette* was the only newspaper printed in Galveston." On April 19, 1915, the *Dallas Morning News* issued a facsimile of Vol. I, No. 8, the April 19, 1842, issue of the *Daily News*. This is reproduced in part following page 30 of Mr. Acheson's book cited above. Though *Texas Newspapers, 1813-1939*, Houston, 1941, locates an original of this April 19 issue at the University of Texas Library, their copy is a facsimile.

DLC 1842: Apr. 30 (Vol. I, No. 17).

[Galveston] Evening NEWS later Galveston NEWS

June, 1843—December, 1845+. Semi-weekly through the summer of 1843; tri-weekly from the fall of 1843.

The *Civilian and Galveston City Gazette* for June 24, 1843, reported: "Messrs. M. Cronican & Co. have commenced, in this city, the publication of a small semi-weekly paper, entitled *The News*." It was published on Tuesdays and Fridays. The *Morning Star* (Houston) of August 8, 1843, commented: "The defunct *Times* seems to be embodied forth again in the form of the *News*." This refers to the *Texas Times*, another Galveston paper, which, as noted here, was issued for the last time on May 16, 1843. The *News* had become a tri-weekly by December, 1843. The number of the first issued located, No. 120, May 11, 1844, suggests that the change took place in late September or early October, 1843. Ben Stuart says the type and press for publishing the paper were "rented from Samuel Bangs from whose office a half dozen ephemeral sheets had been issued during the preceding five years." The rent was four dollars a month.

A prospectus of the *Galveston Weekly News* to be issued from the same office, dated Galveston, December 9, 1843, and signed by Michael Cronican, Wilbur Cherry, and R. D. Sebring, was reprinted in the *Telegraph* of April 10, 1844. The weekly first appeared in February, 1844, as the *Weekly News*, but by August, 1845, its title had been changed to the *Galveston Weekly News*. The change in title probably occurred before May, 1845, for by May 6, 1845, the tri-weekly *Evening News* had become the *Galveston News*. R. D. Sebring was the editor of both papers until his death in July, 1844. Apparently he was editor of the *Weekly Despatch* (Matagorda) at some time between December, 1843, and his death. He was followed by B. F. Neal. The Stuart account says that Willard Richardson took temporary charge of the editorial columns late in 1844, and in 1845 became the regular editor and a partner of Cherry, Neal & Co., who then published the two papers. In November, 1845, the papers were published by Richardson & Lewis. According to Stuart (page 64) the partnership between Richardson and Lewis lasted until the outbreak of the Mexican War, when Lewis left Galveston for Corpus Christi.

*DNA 1844: May 11 (Vol. I, No. 120. *In* Diplomatic Despatches, Texas, Vol. 2), May 23 (*In* Consular Despatches, Galveston, Vol. 2), May 25 (Vol. I, No. 125. *In* Diplomatic Despatches, Texas, Vol. 2).

*TxU 1845: May 6 (Whole No. 227).

[Galveston] Weekly NEWS later Galveston Weekly NEWS
Weekly. February 17? 1844—December, 1845+.

See the note above on the *Evening News*.

TxU 1844: *Feb. 24 (Vol. I, No. 2), May 11.
1845: *Aug. 9, *Nov. 15 (Vol. II, No. 39).

[Galveston] PEOPLE'S ADVOCATE

Daily? May, 1841—June or July, 1841.

This short lived paper followed the *Daily Courier* (Galveston) and was followed by the *National Intelligencer* (Galveston). The *Morning Star* (Houston) of May 18, 1841, reported: "The Galveston Courier has 'gone out' and given place to a new paper styled 'the People's Advocate.'" The prospectus of the *Advocate* was reprinted in the *Austin City Gazette* of June 9, 1841. The paper was published by John O'Brian and edited by Charles W. Moore. Apparently it was a supporter of Sam Houston for president. No copies have been located.

[Galveston] TEXAS STATE PAPER

Semi-weekly? July, 1845—December, 1845+.

Receipt of the first number was acknowledged in the *Telegraph* of July 30, 1845, which said that the paper was published by Trigant & Pace. No other information on Trigant & Pace has been found and no copies of this newspaper have been located. According to Stuart "it appears to have ceased publication early in 1846."

[Galveston] TEXAS TIMES

Weekly. October 11? 1842—March 25, 1843.

This paper was a continuation of the *San Luis Advocate*. The last number of the *Advocate* (Vol. I, No. 41) was published at San Luis in April or early May, 1842, but regular publication was not resumed at Galveston until October, the printing equipment having been lost in the bay en route to Galveston. The second number of the *Times* was published at Galveston on October 18, 1842 (Vol. I, No. 43), and the first probably appeared on October 11. These, however, were preceded by an extra of September 20 (Entry No. 549). A prospectus of the paper appeared in issue No. 46, November 9, 1842 (misnumbered 49 and misdated November 6). This stated that the first eleven numbers of the *Times* would be sent to subscribers to the *San Luis Advocate* to complete the first volume of that paper. Ferdinand Pinckard, who in December, 1841, had become the editor of the *San Luis Advocate*, was the editor and proprietor of the *Times*. The *Times* was at first printed and published for Pinckard by D. Davis. In the issue of March 11, 1843, was a notice signed by G. H. French and G. L. Hamlin that they had assumed publication of the paper. A separate tri-weekly paper, the *Times*, was issued from the same office from about December 27, 1842, through March 25, 1843. After March 25 the separate weekly was discontinued, and the third number of the tri-weekly was made to include the first two, and was cir-

culated in the country as the weekly newspaper. "In anticipation of dissolution" the "last will and testament of the dying 'Times'" was published in the issue for Tuesday, May 16, 1843, where it was announced that the *Telegraph* would be sent in place of the *Times* to those who had paid in advance.

- DLC 1842: Nov. 9 (Vol. I, No. 46; misdated Nov. 6, 1842, and misnumbered Vol. I, No. 49), Dec. 7.
 1843: Apr. 22 (Vol. II, No. 17).
 ICN 1842: †Dec. 14–Dec. 31.
 1843: Mar. 4–Apr. 22.
 Tx 1842: Nov. 30.
 TxU 1842: *Oct. 18 (Vol. I, No. 43), Nov. 2, *Nov. 16–Nov. 23.
 *1843: Feb. 11–Mar. 11.

[Galveston] TIMES [Title at head of first column:] TRI-WEEKLY TIMES

Tri-weekly. December 27? 1842—May 16, 1843.

Issued from the office of the *Texas Times*. Prospectus published in the *Texas Times* of November 6, 1842. For the relation between the two papers, see the note above to the *Texas Times*. The *Tri-Weekly Times* is not referred to in the *Handbook of Texas*.

- ICN 1843: Apr. 27 (Vol. I, No. 48), May 16 (Vol. I, No. 49).
 *TxGR 1843: May 16.

[Galveston] TOWN

The following reference to the paper appeared in the *Northern Standard* (Clarksville) of April 24, 1844: "We have received the 6th number of a weekly paper, entitled 'The Town,' published every Sunday, at Galveston. It is published by James Doddridge and edited by J. J. Harrison and seems to be devoted to humor, and chit-chat, generally and specially. The dimensions of 'The Town' are just 10 inches by 12 when extended." No copies have been located.

[Harrisburg] TELEGRAPH AND TEXAS REGISTER

The *Telegraph* was published at San Felipe from October 10, 1835, through March 24, 1836 (Vol. I, No. 1—Vol. I, No. 21); one number was published at Harrisburg on April 14, 1836 (Vol. I, No. 22); publication was resumed at Columbia on August 2, 1836 (Vol. I, No. 23). The press was moved to Houston after the issue of April 11, 1837 (Vol. II, No. 14), where publication was resumed May 2, 1837 (Vol. II, No. 15). For a short note on the *Telegraph* see its entry under Houston.

- TxH 1836: Apr. 14.

[Houston] BANNER OF THE LONE STAR

No copies have been located, and perhaps the paper, which was to have been a weekly, was never published. A prospectus, dated at Houston, January 22, 1838, and signed by James D. Cocke, was printed in the *Telegraph* of February 3, 1838. On January 21 Cocke wrote Mirabeau B. Lamar saying that it would be quicker for him to get materials from New Orleans than to move Lamar's press from Velasco to Houston, and that the move would cost as much as the fixtures were worth in their damaged state (*Lamar Papers*, No. 665, Vol. II, p. 28-29). Lamar's press was used from February through July, 1838, by Léger and Thompson in printing the *People* at Brazoria.

There is no account of this newspaper in the *Handbook of Texas*.

[Houston] CITIZEN

Semi-weekly. July 19[?] 1843—January, 1844.

A prospectus of the *Citizen*, dated July 8, 1843, and signed by John N. O. Smith and John Benson, was reprinted in the *Northern Standard* (Clarksville) of September 14, 1843. It announced support of Sam Houston, then president. The *Red-Lander* (San Augustine) of August 5, 1843, stated that the *Citizen* had been started in place of the *Houstonian*, whose "editor and publisher had absquatulated [*sic*] to Yucatan." The prospectus of July 8 referred also to a weekly edition, entry for which follows, to be published as soon as a sufficient number of subscribers was obtained. The semi-weekly *Citizen* was followed by the semi-weekly edition of the *Texian Democrat* (Houston).

*DNA 1843: Nov. 18 (Vol. I, No. 21. In *Diplomatic Despatches, Texas*, Vol. 2).

[Houston] Weekly CITIZEN

Weekly. December 9, 1843—January, 1844.

This weekly edition of the *Citizen* was promised in the prospectus of July 8, 1843, as soon as a sufficient number of subscribers was obtained. The first issue, dated December 9, 1843, was published by [John N. O.] Smith, [John] Benson & [D. E.] Smith. It was followed, without change in volume or numbering, in January, 1844, by the *Texian Democrat* (Houston).

*TxU 1843: Dec. 9 (Vol. I, No. 1).

[Houston] CIVILIAN

Weekly. June 7, 1838—September, 1838.

The *Handbook of Texas* follows the *Galveston Tri-Weekly Civilian* of

May 9, 1873, in saying that the *Civilian* first appeared at Houston on May 8, 1838, but according to the *Telegraph* of June 9, 1838, the first number was published on June 7. The paper was moved to Galveston in September and published there as the *Civilian and Galveston Gazette*. No copies published at Houston have been located.

[Houston] COURIER AND ENQUIRER

Frantz reports that the earliest reference to the paper he found was in the *Telegraph* of September 8, 1838, and read as follows: "The Courier & Enquirer of this city is now printed on a large double cylindered Napier press—procured at great cost by its proprietors, and which strikes off six thousand of its enormous sheets *per hour—or one hundred* every minute." The publishers may have been J. D. Cocke and G. W. Bonnell, for in a letter dated from Houston, January 21, 1838 (*Lamar Papers*, Vol. II, at p. 29), Cocke wrote to Lamar: "Col. Bonnell is expecting a complete printing establishment, which he some time since ordered from Cincinnati. He, too, contemplates publishing a paper on an Imperial sheet. He has proposed to unite his project with mine." The only other reference to the *Courier and Enquirer* which Frantz found was in the *Civilian and Galveston Gazette* of October 19, 1838. No copies have been located.

There is no account of this newspaper in the *Handbook of Texas*.

[Houston] HOUSTONIAN

Tri-weekly. March 10? 1841—May or June, 1843.

That the first issue was published prior to March 11, 1841, is shown by a reference to it in the *Morning Star* (Houston) of March 11. The date of March 10 is arrived at by counting back from the earliest copy located, Vol. I, No. 70, August 18, 1841. The prospectus, dated February 18, 1841, and signed "D. E. & Jno. N. O. Smith, Publishers, for Joshua Burr, Proprietor," was reprinted in the *Galvestonian* of March 31, 1841. The paper was for Sam Houston for president. Joseph Baker, who had earlier been a partner of the Bordens in publishing the *Telegraph*, was its first editor. The issue of May 5, 1843, listed S. E. Powers as editor, publisher, and proprietor. The note here to the *Citizen*, also published at Houston, shows that the *Houstonian* was followed by the *Citizen* in July, 1841.

*Tx Extras: Two of March 15, 1842 (Entries No. 518 and 519).

*TxGR 1843: May 5 (Vol. 3, No. 12).

TxWFM 1841: *Aug. 18 (Vol. I, No. 70)—Aug. 20.

Extras: Aug. 16, 1841 (Entry No. 445), Aug. 18, 1841 (Entry No. 446).

[Houston] Weekly HOUSTONIAN

Weekly. April 8? 1841—May or June, 1843.

This paper was published in conjunction with the tri-weekly *Houstonian*. The earliest mention of the *Weekly Houstonian* noted is in the issue of the *Colorado Gazette and Advertiser* (Matagorda) for May 1, 1841.

DLC 1841: May 27 (Vol. I, No. 8), July 22.

Tx 1842: Jan. 27 (Vol. I, No. 34).

[Houston] MUSQUITO

Tri-weekly. July 12, 1840—February or March, 1841.

As stated in the *Handbook of Texas*, the *Musquito* was edited by George H. French and printed by his brother-in-law, Samuel Bangs. French was also the publisher. By the end of March, 1841, French and Bangs had moved to Galveston where, on March 31, 1841, they issued the first number of what is referred to here as the third *Galvestonian*.

*TxU 1841: Feb. 7—Feb. 14 (Vol. I, Nos. 59-62).

[Houston] NATIONAL BANNER

April 25, 1838—November or December, 1838. Semi-weekly during sessions of Congress; weekly in the interim.

The title was given as *Texas National Banner* in the prospectus, signed by J. W. J. Niles, printed in the *Matagorda Bulletin* of March 28, 1838, but the title adopted, the *National Banner*, appeared in the reprinting of the prospectus in the *Matagorda Bulletin* of April 25, and at the head of the first issue, published the same day. Samuel Whiting began his printing career by acquiring an interest in the *National Banner* in June, 1838, and before October 5 had bought the entire interest of Niles. The *Telegraph* of December 15 reported that Whiting had discontinued the *National Banner* and had begun to issue in lieu of it "a new paper styled the *National Intelligencer*, which . . . dates its commencement from that of the new administration." Lamar was inaugurated on December 10.

DLC 1838: Apr. 25 (Vol. I, No. 1).

GEU 1838: Oct. 5 (Vol. I, No. 27).

[Houston] NATIONAL INTELLIGENCER

Weekly. About December 10, 1838—October, 1839.

Samuel Whiting having bought the *National Banner* (see preceding entry) changed its name to the *National Intelligencer*. Apparently the new paper

was numbered in continuation of the old. Its editor was James S. Jones, formerly editor of the *Matagorda Bulletin*. A squib in the *Morning Star* (Houston) of August 3, 1839, reported the *Intelligencer* as having had eight editors since its commencement. In October, 1839, part of the equipment of the office was moved to Austin, where Whiting began the publication of the *Austin City Gazette* on October 30, 1839. The rest of the equipment was advertised for sale on February 17, 1840, and bought by A. H. Osborn and G. W. Lively, who began publication of the *Daily Times* at Houston on March 4, 1840.

DLC 1839: Mar. 1 (Vol. II, No. 7), Mar. 28, Apr. 18, May 2–May 9, July 4.

GEU 1839: June 27, Aug. 22 (Vol. II, No. 32).

NcD 1839: Apr. 18.

*TxHSJM 1839: July 18.

TxU 1839: June 20.

[Houston] Morning STAR

April 8, 1839—December 30, 1845+. Daily, April 8, 1839 through July 11, 1840; tri-weekly from July 14, 1840.

A notice in the *Telegraph* of April 3, 1839, referred to the coming publication of the *Evening Star*, but in the first issue the shift to morning publication was explained as made at "the suggestion of many friends." The *Morning Star* began publication as a daily newspaper on April 8, 1839, the publisher being Ezekial Humphreys and Company and the editor John W. Eldredge. It was printed at the *Telegraph* office. From at least April 18, 1839, through at least August 31, 1839, tri-weekly issues were published in addition to the daily issues. The paper was issued daily through the issue for Saturday morning, July 11, 1840, Vol. II, No. 68; and with No. 69, for Tuesday, July 14, it was published tri-weekly on Tuesdays, Thursdays and Saturdays through at least the year 1845. In the issue of November 13, 1839, Jacob W. Cruger, who had become publisher on Humphreys' death shortly before, stated that the paper would only do business with subscribers and advertisers on a cash basis. The issue of January 9, 1841, announced that James F. Cruger had succeeded his brother J. W. Cruger as publisher. In August, 1841, D. H. Fitch retired as editor and was succeeded by Dr. Francis Moore. Apparently Moore continued as editor through 1845. Dr. Moore was also editor of the *Telegraph*, printed weekly at the same office.

DLC 1839: Apr. 15, Apr. 17, Apr. 19, Nov. 5.

*DNA 1840: June 20 (*In Diplomatic Despatches, Texas, Vol. 1*).

*MWA 1840: Apr. 3.

Tx Apr. 9–Aug. 14, 1839; Jan. 3, 1843–Dec. 30, 1845.

†Lacking: 1843: Nov. 30. 1844: Jan. 27, Feb. 15, May 14, June 22, Sept. 7, Oct. 12, Nov. 16, Nov. 26, Nov. 30, Dec. 7. 1845: Jan. 2, Jan. 28, Feb. 13, Feb. 16, Mar. 6, Mar. 20, Apr. 3, Apr. 8, Apr. 17, May 13, May 17, May 24, June 10, June 26, July 26 or July 29 (Vol. VII, No. 853), Sept. 13–

Oct. 7, Oct. 14, Oct. 23–Oct. 28, Nov. 6, Nov. 15, Nov. 18, Dec. 4, Dec. 23, Dec. 27.

TxH Apr. 8, 1839 (Vol. I, No. 1)–Oct. 26, 1844.

†Lacking: 1839: May 17, Oct. 9–Oct. 11, Vol. I, No. 169 (published between Oct. 23 and Nov. 5), Nov. 21, Dec. 14. 1840: Jan. 23, May 4, Oct. 15, Dec. 1–Dec. 3. 1841: Apr. 8. 1842: Jan. 27, May 24, July 12, July 30, Dec. 8. 1843: Nov. 30, Dec. 5. 1844: Feb. 15, May 14, June 22, Sept. 7.

†Tri-weekly composite issues: Apr. 10/11–Aug. 30/31, 1839. Except: Apr. 17/18, May 3/4, May 13/14, May 15/16, May 17/18, May 20/21, June 17/18, June 28/29, July 10/11, Aug. 21/22, Aug. 26/27, Aug. 28/29.

†TxU 1839: June 3.

1840: Jan. 1–Jan. 9, Jan. 22, Jan. 25, Jan. 28, Jan. 31.

[Houston] STAR OF TEXAS

No copies have been located, and perhaps the paper, which was to have been a monthly, was never published. Frantz reports that a prospectus, dated June 7, 1837, was printed in the *Telegraph* as early as July 29, 1837, and in the *Matagorda Bulletin* as late as September 27. W. W. Hall was to have been the editor, and the main objects of the paper were to have been “the Promotion of Religion, Virtue and Morality and the Diffusion of Learning.”

There is no account of this newspaper in the *Handbook of Texas*.

[Houston] TELEGRAPH AND TEXAS REGISTER

Weekly. May 2, 1837—December 31, 1845+.

Two issues in the weeks of October 2, 9, and 16, and December 4, 1837; semi-weekly from April 18, 1838, through May 30, 1838, and from November 21, 1838, through January 26, 1839, covering the adjourned session of the Second Congress and the session of the Third Congress; weekly thereafter.

A prospectus for publishing the *Telegraph and Texas Planter* was printed in the *Texas Republican* (Brazoria) of February 14, 1835, but in the first issue, printed at San Felipe on October 10, 1835, the final “Planter” was changed to “Register.” As mentioned in the “Sketch of Printing” here, at page xliii, the story of the *Telegraph* through 1836 is told in articles in the issues of August 2, 1836, and January 18 and 27, 1837. It was printed at San Felipe from October 10, 1835, through March 24, 1836 (Vol. I, No. 1–Vol. I, No. 21). A single issue was published at Harrisburg on April 14, 1836 (Vol. I, No. 22). Publication was resumed at Columbia on August 2, 1836, and continued there through April 11, 1837 (Vol. I, No. 23–Vol. II, No. 14). The issue of May 2, 1837 (Vol. II, No. 15), the first to be published at Houston, has an amusing account of the vicissitudes in moving the press from Columbia. The *Telegraph* was the first Houston newspaper. Dr. Francis

Moore was the editor of the *Telegraph* for seventeen years from March, 1837, when he acquired his interest in the paper. From August, 1841, Moore was also the editor of the *Morning Star*, a tri-weekly which was printed at the *Telegraph* office. Mr. Winkler has an excellent sketch of the *Telegraph* in the *Handbook of Texas*, and Addie May Roy submitted a master's thesis, *The History of the "Telegraph and Texas Register," 1835-1846*, at the University of Texas in 1931. For listings of the locations of earlier issues see here under San Felipe, Harrisburg, and Columbia.

*CtY 1838: Apr. 18.

DLC 1838: May 12, May 30, Dec. 19, Dec. 29.

1839: Jan. 2–Jan. 23, Jan. 30, Feb. 6–Mar. 27, Apr. 10–Apr. 17, May 1, May 15–Aug. 14, Aug. 28–Oct. 2, Oct. 16–Oct. 23, Nov. 27–Dec. 25.

1840: Jan. 1, Apr. 8–Apr. 29, Nov. 4, Nov. 18.

1842: Aug. 24, Sept. 14, Oct. 26, Dec. 14–Dec. 21.

†1843: Jan. 4, Jan. 25–Feb. 8, Mar. 15, May 31, July 19–July 26, Oct. 11–Oct. 18, Dec. 27.

1844: Jan. 3, Jan. 17–Jan. 24, Feb. 21, Mar. 6, June 26.

1845: Jan. 8, Apr. 23, Dec. 24–Dec. 31.

*DNA 1837: Oct. 21–Oct. 28 (*In Diplomatic Despatches, Texas, Vol. 1*).

1843: June 28, Oct. 4, Dec. 20 (*In Diplomatic Despatches, Texas, Vol. 2*).

GEU 1838: July 21, Aug. 25.

ICN 1843: Dec. 13.

MH June 13, 1837–July 21, 1838.

†Lacking: 1837: Sept. 30–Oct. 7. 1838: Jan. 6, Jan. 20, May 9, May 23, May 30, June 16.

Supplements to 1838 issues, publishing laws: No. 115 (Feb. 24), No. 117 (Mar. 10), No. 135 (May 30), No. 138 (June 23).

MWA 1837: *May 16, *May 30, *June 3, *June 13, *June 24–July 1, Dec. 16.

1843: Dec. 20.

McBa 1844: Feb. 7.

NN 1837: Oct. 11, Oct. 21, Dec. 2–Dec. 9.

1838: Jan. 6, Feb. 24, May 12, May 19–May 26.

Tx May 2, 1837–Aug. 4, 1838, May 29, 1839–Feb. 16, 1842, Jan. 4, 1843–Dec. 31, 1845.

Lacking: 1839: July 10, Aug. 14, Sept. 11, Sept. 25, Oct. 30, Nov. 27, Dec. 4.

†1840: Jan. 1–Jan. 8, Feb. 5, June 24, Aug. 5, Sept. 9, Oct. 21, Dec. 2,

Dec. 23. 1841: Jan. 6, Feb. 24, Mar. 3–Mar. 17, May 19, June 9, Aug. 18,

Sept. 1, Sept. 15–Sept. 29, Dec. 15. 1842: Feb. 2–Feb. 9. †1843: Mar. 15.

Extra: Dec. 25, 1837 (Entry No. 194).

Supplements to 1838 issues, publishing laws: No. 115 (Feb. 24), No. 117 (Mar. 10), No. 135 (May 30), No. 138 (June 23), No. 143 (July 28), No. 144

(Aug. 4).

Advertising sheets: 1838: June 11, June 18, July 9, July 23, July 30, Aug. 6.

*TxDaHi 1837: Aug. 26, Dec. 23.

Advertising sheet: July 23, 1838.

*TxGR May 2, 1837–Aug. 2, 1843.

Lacking: 1838: Aug. 11–Aug. 18, Nov. 21. 1843: Mar. 1, Mar. 15–Mar. 22.

Extra: July 15, 1837 (Entry No. 193).

Supplements to 1838 issues, publishing laws: No. 115 (Feb. 24), No. 117 (Mar. 10), No. 135 (May 30), No. 138 (June 23), No. 143 (July 28), No. 144

(Aug. 4).

Advertising sheets: 1838: June 11, June 18, July 2, July 9, July 16, July 23, July 30.

- †TxH Aug. 11, 1838-Dec. 31, 1845.
 TxSangM 1837: Oct. 7.
 1838: Dec. 8.
 TxU May 2, 1837-Dec. 31, 1845.
 †Lacking: 1838: Nov. 21. 1839: Oct. 16, Oct. 23. 1841: Mar. 31.
 Supplements to 1838 issues, publishing laws: No. 115 (Feb. 24), No. 117 (Mar.
 10), No. 135 (May 30), No. 138 (June 23), No. 143 (July 28), No. 144
 (Aug. 4).
 Advertising sheets: 1838: June 11, June 25, July 2, July 16, July 23.
 TxWFM Aug. 11, 1838-Dec. 14, 1842.
 Lacking: †1839: Sept. 18. †1840: July 8, Aug. 26. 1841: Jan. 27, Mar. 3,
 Aug. 25, Oct. 6, Oct. 20-Dec. 15.
 *TWS 1843: Nov. 15.

[Houston] TEXAS CIVILIAN

The entry in *Texas Newspapers, 1813-1939* under this title is apparently for the newspaper entered here as the *Civilian*. No contemporary references to it as the *Texas Civilian* have been found.

[Houston] TEXIAN

No copies of this paper have been located and the first number, which was to have been issued on April 21, 1837, may never have appeared. A prospectus dated Columbia, December 10, 1836, and signed by Thomas Wilson, was printed in the *Telegraph* of December 17, 1836.

There is no account of this newspaper in the *Handbook of Texas*.

[Houston] TEXIAN DEMOCRAT

Semi-weekly. January, 1844—October, 1844.

The prospectus of the semi-weekly *Texian Democrat*, dated January, 1844, and signed by John N. O. Smith, John Benson, and D. E. Smith, was published in the weekly issue of January 20, 1844, and announced that publication of the semi-weekly had been commenced. This was followed by a note that "a sufficient number of subscribers having been obtained to justify incurring the additional expense," a weekly for the country was now issued. By November 2, 1844, the press had been sold to Miller & Cushney and was on its way to Washington, Texas, where it was used in publishing the *Texas National Register*, beginning December 7, 1844. No copies of the semi-weekly edition have been located.

[Houston] TEXIAN DEMOCRAT

Weekly. January, 1844—October, 1844.

See the note above to the semi-weekly *Texian Democrat*.

DLC 1844: Jan. 20 (Vol. I, No. 7), Mar. 16, May 15, June 19–June 26 (Vol. I, No. 28).
 *Tx Extra: May 10, 1844 (Entry No. 612).

[Houston] Daily TIMES

Daily. March 4, 1840—?

In February, 1840, A. H. Osborn (*or* Orsborn) and G. W. Lively bought the Houston *National Intelligencer* plant and issued a prospectus for publishing “a daily and weekly paper . . . to be called The Times.” The prospectus was reprinted in the *Weekly Times* of April 30, 1840. According to the *Morning Star* (Houston) of March 6, 1840, the first issue of the *Daily Times* was published on March 4. A. M. Tomkins was its first editor, but the *Morning Star* of July 21, 1840, reported “A star has disappeared from the editorial galaxy . . . Gus Tomkins has quit the Times.” He was succeeded by G. W. Lively. The *Weekly Times* was published from about April 2, 1840, through at least June 4, 1840, first by Osborn & Lively, and later by Osborn & Conger, with both firm names appearing in the headings of the issues of April 9 and April 30. In the *Telegraph* of September 3, 1840, the *Times* was described as a tri-weekly. Probably the tri-weekly took the place of both the daily and the weekly paper.

There is no account of any of these newspapers in the *Handbook of Texas*.

[Houston] TIMES

Tri-weekly. Before September 3, 1840—?

No copies located. See the note to the *Daily Times*.

[Houston] Weekly TIMES

Weekly. April 2? 1840—At least June 4, 1840.

See the note to the *Daily Times*.

DLC 1840: Apr. 30, June 4 (Vol. I, No. 9).

Tx 1840: Apr. 9 (Vol. I, No. 2).

[Huntsville] MONTGOMERY PATRIOT

Weekly? July or early August, 1845—December, 1845+.

This paper was started at Montgomery in April, 1845, and moved to Huntsville in July or early August, certainly before August 21, 1845, when the move was mentioned in the *Texas National Register* (Washington). No copies published at Huntsville in 1845 have been located, but two published there in 1846 are known. John M. Wade is named in the *Handbook of Texas* as publisher of the paper at Montgomery. A manuscript printing

bill in the Texas State Archives, dated Patriot Office, Huntsville, December 23, 1845, is in the name of Wade & Robinson.

LaGrange INTELLIGENCER

Weekly. January 25? 1844—December 30, 1845+.

This paper was established by William P. Bradburn and James P. Longley, with Bradburn as editor and publisher. With the issue of February 15, 1844, Longley became the sole proprietor, and W. B. McClellan the editor. Prospectuses were published in the issues of February 1 and February 22. With the issue of May 30, 1844, Smallwood S. B. Fields became editor and proprietor. On July 7, 1845 (Vol. II, No. 24), Fields announced the sale of the paper to W. B. McClellan and W. D. Mims, who appear as publishers in the next issue located, that of August 19, 1845 (Vol. I, No. 2, for the new owners began a second Volume I). In September, 1845, the new owners, and not Fields as stated in the *Handbook of Texas*, made an urgent appeal for friends of the paper to contribute to its support.

Tx Feb. 1, 1844 (Vol. I, No. 2)—July 7, 1845, Aug. 19—Nov. 5, Nov. 18—Dec. 27, 1845, and Extra, Dec. 30, 1845 (completing the printing of President Polk's message begun in the issue of Dec. 27).

*TxU 1844: July 4.

Lockhart MIRROR

Although *Texas Newspapers, 1813-1939* suggests that there was a newspaper of this name published at Lockhart in 1840, it must be mistaken as to the year since the town was not established until 1848.

[Marshall] HARRISON TIMES

Weekly? On or before February 10, 1844—About October 16, 1845.

The paper was begun on or before February 10, 1844, for Frantz cites a quotation from that issue in the *Morning Star* (Houston) of February 29, 1844. It was followed by the *Soda Lake Herald* (Marshall), whose publishers announced their purchase of the press of the *Times* in a prospectus dated October 16, 1845, reprinted in the *Texas National Register* (Washington) of December 6, 1845. No copies of the *Times* have been located.

Marshall REVIEW

Weekly? December, 1842, or January, 1843—Fall? 1843.

The following appeared in the *Red-Lander* (San Augustine) of January 5,

1843: "The Marshall Review—Under this cognomer [*sic*], the Sabine Advocate [of Pulaski] is again continued to its former subscribers." The *Northern Standard* of April 20, 1843, reports that the *Marshall Review* has lately changed hands "and the name of L. A. W. Laird appears as editor and proprietor." That the *Review* suspended some time in the fall of 1843 is suggested by the report in the *Red-Lander* of December 23, 1843, that the mail between Marshall and Shreveport had been suspended since the failure of the *Marshall Review*. No copies have been located.

[Marshall] SODA LAKE HERALD

Weekly. Before November 13, 1845—December, 1845+?

Followed the *Harrison Times* (Marshall). The prospectus, dated October 16, 1845, announcing the purchase of the press of the *Harrison Times*, was reprinted in the *Texas National Register* (Washington) of December 6, 1845. It was signed by E. C. Beazley the editor, and T. A. Harris and Zach. Wills the publishers of the paper. The first number was received by the *Red-Lander* (San Augustine) before November 13, 1845. The *Telegraph* of November 26, 1845, said that the new paper, like its predecessor, supported General Henderson for Governor and A. C. Horton for Lieutenant Governor. Frantz says that the latest quotation from the paper he found was in the *Morning Star* (Houston) of January 6, 1846. No copies have been located.

Matagorda BULLETIN

Weekly. August 2? 1837—May 9, 1839.

The issue of December 20, 1837, stated that J. W. J. Niles, who had started the paper about August 2, 1837, "had ceased to exercise any control, whatsoever, over the editorial columns of this paper" and that James S. Jones had purchased an interest in the paper with the understanding that he should have "exclusive control over its columns." In the issue of February 21, 1838, there was a notice that the partnership of Niles and Jones was dissolved, with Niles continuing the business. From a notice in the issue of June 28, 1838, signed by John G. Davenport, stating "the proprietorship and editorial department of the *Matagorda Bulletin* have changed hands," it would appear that Niles had no interest in the paper after that date. Davenport died in October, 1838, and the issue of January 31, 1839, named W. Donaldson as having become editor on January 24. The last issue was published on May 9, 1839, and was followed a week later by the first issue of the *Colorado Gazette and Advertiser*. Donaldson was the first editor of the new paper.

DLC 1838: Mar. 14.

- Tx 1837: Sept. 6–Dec. 27.
 1838: Jan. 3–Nov. 22, Dec. 6–Dec. 20. Next issue published Jan. 3, 1839.
 1839: Jan. 3–Apr. 4, May 2–May 9 (Vol. II, No. 80).
 †TxU 1837: Aug. 9 (Vol. I, No. 2), Aug. 30–Oct. 4, Nov. 8–Dec. 27.
 1838: Jan. 3–Mar. 14, Mar. 28–Apr. 4, Apr. 25.
 1839: Feb. 7.
 *TWS 1838: Apr. 25, and Extra of about May 21, 1838 (Entry No. 241).

[Matagorda] COLORADO GAZETTE AND ADVERTISER
 Weekly. May 16, 1839–1843?

This followed the *Matagorda Bulletin*. The paper was printed and published by James Attwell, and was at first edited by W. Donaldson, who had been the editor of the *Matagorda Bulletin*. No editor's name appeared in the issues from August 1, 1839, to the end of that year, but from January 4, 1840, through July 30, 1842, the date of the latest issue located, W. D. Wal-lach was listed as the owner and editor of the paper. From an item in the *Austin City Gazette* of December 25, 1839, it appears that by that time Wal-lach had taken over the paper. According to Gray's "History of the Texas Press," the paper was issued regularly until 1843, and possibly until a later date. No contemporary references to its existence during 1843 have been found, but James Attwell, its printer and publisher, was the editor and proprietor of the next paper published at Matagorda, the *Weekly Despatch*, established about December 2, 1843.

- DLC 1841: Mar. 27, Apr. 17.
 Tx 1839: June 6 (Vol. I, No. 4)–Aug. 1, Aug. 22–Dec. 7, Dec. 21.
 1840: Jan. 4–Feb. 8, Mar. 7–Mar. 14, Mar. 28, Apr. 11–May 9, May 23–Aug. 8, Aug. 22–Sept. 5, Sept. 19–Oct. 24, Nov. 7, Nov. 28–Dec. 5, Dec. 19. Next issue published Jan. 23, 1841.
 1841: Jan. 23–Feb. 27, Mar. 20–May 1, May 15–July 10, July 24–Aug. 7, Aug. 21–Sept. 11, Oct. 2, Oct. 31–Dec. 25. Next issue published Jan. 8, 1842.
 1842: Jan. 8–Jan. 15, May 28, July 9, July 30 (Vol. III, No. 33).
 TxGR 1840: Sept. 26.
 *TxU 1839: Nov. 9–Nov. 16.
 1842: June 4.
 *TWS 1840: Sept. 5.

[Matagorda] Weekly DESPATCH

Weekly. December 2? 1843—December, 1845+.

James Attwell appears as editor and proprietor in all the issues located. He was apparently assisted by Richard Drake Sebring, for the obituary of Sebring in the issue of August 24, 1844, speaks of him as "the late editor of this paper." As shown below, the Rosenberg Library at Galveston has an excellent file for the year 1844. The latest reference to the *Despatch* noticed is that in the *Morning Star* (Houston) of December 13, 1845, cited by Frantz.

According to the *Handbook of Texas*, the paper was published until June, 1846.

TxGR 1844: Jan. 6 (Vol. I, No. 6), Jan. 20–Nov. 23, Dec. 7 (Vol. 1, No. 52).

*TxU 1844: Oct. 12.

Matagorda LETTER-SHEET PRICES CURRENT

Monthly. February, 1838—Spring 1839?

No copies have been located, but the *Letter-Sheet* was advertised in the *Matagorda Bulletin* of February 28, 1838, as “just published, and for Sale at the office of the Bulletin . . . to be issued monthly.” No further references to it have been found in the contemporary newspapers, but it may have been published until May, 1839, when the *Bulletin* was discontinued.

There is no account of this *Letter-Sheet* in the *Handbook of Texas*.

[Matagorda] NAZARENE ADVOCATE

No copies have been located, and perhaps the paper, which was to have been issued monthly, was never published. A prospectus was printed in the *Matagorda Bulletin* of October 25, 1837, reading in part, “The avowed object of this publication is the revival of the best of the Nazarenes’ in primitive purity.”

There is no account of the *Nazarene Advocate* in the *Handbook of Texas*.

Montgomery PATRIOT

Weekly? April, 1845—July or early August, 1845. Continued at Huntsville.

The *Telegraph* of April 9, 1845, reported the arrival of an issue of the *Montgomery Patriot*, “intended as a specimen number.” The first two numbers were received by the *Red-Lander* (San Augustine) before May 22, 1845. No copies published at Montgomery have been located. The paper was moved to Huntsville in July or early August, certainly before August 21, 1845, when the move was mentioned in the *Texas National Register* (Washington).

[Nacogdoches] GACETA DE TEXAS

As stated in the *Handbook of Texas*, type for the single issue of this paper, dated May 25, 1813, was set at Nacogdoches, but it was printed at Natchitoches, Louisiana, early in June, Toledo’s forces having been forced to withdraw from Texas. The printer of the paper was Aaron Mower and not “Moore” as the *Handbook* has him. Godwin B. Cotten, later printer of the

Texas Gazette at San Felipe, was one of Toledo's officers, but no evidence has yet been discovered showing that he assisted Mower in printing the *Gaceta*. (For a fuller note on the paper, see the entry for it in the body of this bibliography, under the year 1813.)

DNA 1813: May 25 (In Archives of the Department of State, Special Agents Mss., William Shaler, 1810, II).

[Nacogdoches] MEXICAN ADVOCATE

Weekly? On or about September 4, 1839—?

Printed in Spanish and English. The evidence for fixing the date of the first issue of the paper was presented by Mr. E. W. Winkler in a note in the *Quarterly*, Texas State Historical Association, for January, 1905, Vol. VIII, p. 272-275. No copies of the paper have been located, and no evidence has been discovered indicating how long it was published. Mr. Winkler showed that Milton Slocum, the editor and printer of the paper, arrived in Nacogdoches on June 27, 1829, and was listed as a printer as late as the census of June 30, 1831, but as a farmer in the census of 1832. The only piece printed by him entered in this bibliography is No. 21, a *Circular* of the Board of Piety of Nacogdoches dated March 10, 1831. According to the *Handbook of Texas*, Slocum's press was used in 1835 and 1836 in printing the *Texean* [sic] and *Emigrant's Guide* at Nacogdoches.

[Nacogdoches] EL MEXICANO

Although there is an entry for this newspaper under Nacogdoches in *Texas Newspapers, 1813-1939*, it, like the *Gaceta de Texas* which it followed, was printed in Natchitoches, Louisiana. (For a discussion of these two papers, see the entry for the *Gaceta* in the body of this bibliography, under the year 1813.)

[Nacogdoches] TEXAS CHRONICLE

Weekly. June 7? 1837—July or early August, 1838.

If not established by Isaac W. Burton and William W. Bell, the *Chronicle* was at one time published by them, for there is a notice of the dissolution of their partnership, dated February 1, in the only surviving issue of the paper, that of February 28, 1838. Burton was to continue as publisher, and it was stated that W. A. Ferris was authorized to transact the business of the office in his absence. In July or early August the newspaper was purchased by W. W. Parker, who moved the press to San Augustine, where he began the publication of the *Red-Lander* in September, 1838.

TxU 1838: Feb. 28 (Vol. I, No. 39).

[Nacogdoches] TEXAS REPUBLICAN

Weekly. August 14, 1819—September or October, 1819.

The history of this paper, established by the Long Expedition is summarized in Brigham's *History and Bibliography of American Newspapers, 1690-1820*, Worcester, 1947, Vol. II, p. [1069]-1070, supplemented by his note in the *Southwestern Historical Quarterly* for April, 1948, Vol. LI, p. 366-369. Contemporary references to the issues of August 14-August 28, and September 11, 1819, have been found. Although Yoakum says that Horatio Bigelow was the editor, he is not mentioned in those references, but Eli Harris is named as the printer or publisher. No copies have been located. Publication of the paper must have been discontinued by October 28, 1819, when the Spanish forces under Colonel Pérez reached Nacogdoches.

[Nacogdoches] TEXEAN [*sic*] AND EMIGRANT'S GUIDE

Weekly. November 28, 1835—Not later than March 24, 1836.

According to the sketch of David E. Lawhon in the *Handbook of Texas*, this paper was printed on a press belonging to William G. Logan, a merchant, which had been used by Milton Slocum in printing the *Mexican Advocate* at Nacogdoches in 1829. The issue of January 2, 1836, is the latest located thus far. The paper had been discontinued by March 24, 1836, according to the *Telegraph* of April 14, 1836. In all surviving issues the first word of the title is spelled "Texean."

*Tx 1835: Dec. 19-Dec. 26 (Vol. I, Nos. 4 and 5).

*TxSaDR 1835: Nov. 28 (Vol. I, No. 1).

*TxU 1836: Jan. 2 (Vol. I, No. 6).

[Pulaski] SABINE ADVOCATE

Weekly. April or May, 1842—Summer or Fall, 1842.

The following notice of the paper appeared in the *Telegraph* of May 25, 1842: "Sabine Advocate.—We have received by the last mail from the East, two numbers of a new paper with the above title, published weekly at Pulaski, Harrison county, by S. P. January & Co. It is a neat sheet, nearly of the size of the Redlander, and contains a large share of interesting reading matter." On January 5, 1843, the *Red-Lander* (San Augustine) described the paper as "continued to its former subscribers" as the *Marshall Review* (Marshall). No copies have been located.

[Richmond] GAZETTE

Gray, Norton, and Stuart all say that R. E. Handy published a paper called the *Gazette* at Richmond in 1839. Although they must be wrong as to the year, for Handy died early in October, 1838, he certainly intended to publish a paper in 1838, for on May 16, 1838, he wrote Mirabeau B. Lamar: "I have purchased the press of Mr [James S.] Jones on which the 'People' is now printed [at Brazoria]—In payment I have given him several notes of hand on different individuals & merchants amounting in all to nine hundred Dollars. Mr. Jones has given us an order on you—and likewise on Mess Leger & Thompson [publishers of the *People*] for the delivery of the press on the first of august—I hope there will be no difficulty about the matter—" (*Lamar Papers*, No. 730, Vol. II, p. 158). The press had belonged to Lamar (see *Lamar Papers*, No. 722, Vol. II, p. 154-155). No copies of the paper have been located, and no references to it have been found thus far in the newspapers of 1838 or 1839.

There is no account of this paper in the *Handbook of Texas*.

Richmond RECORDER

Although this newspaper is listed in *Texas Newspapers, 1813-1939* as having begun publication on January 2, 1836, no references to it have been found in contemporary newspapers or elsewhere. The issue of December 8, 1852, the only one located in *Texas Newspapers*, can not now be found at the Texas State Library.

Richmond TELESCOPE later Richmond TELESCOPE & REGISTER

Weekly. April 27, 1839—August or September, 1840.

Title at head of first page varies: *Richmond Telescope*, April 27-July 17, 1839; *Richmond Telescope & Register*, from July 31, 1839. Subtitle at head of following page varies: *Texas Literary Register*, April 27-July 3, 1839; *Texas Miscellaneous Register*, July 10-July 17, 1839; none, July 31, 1839, and following, although the paper is spoken of as the *Richmond Telescope and Texas Miscellaneous Register* in the issue of September 18, 1839.

The prospectus of this paper, in which it is called *Richmond Telescope and Texas Literary Messenger*, was printed in the *Morning Star* (Houston) of April 23, 1839, with David L. Wood named as editor. The *National Intelligencer* (Houston) of May 2, 1839, referred to it as "the first literary paper started in our Republic." W. W. Bell announced himself as proprietor in place of Wood in the issue of June 22, 1839, with Wood named as assistant editor. In the issue of August 31, J. H. Parkerson and Wood were named as

assistant editors. In the September 11 issue Bell announced that Sidney S. Callender had bought the paper, and would continue as publisher. In the issue of March 17, 1840, the publisher announced that he had "secured the services of Mr. Nicholas Maillard, a gentleman fully competent, to assist him in the editorial department." In the issue of April 11, 1840, the latest located, Callender was still referred to as the publisher. Though the *Handbook* says the paper probably ceased operations in April, 1840, it was quoted from in the *Morning Star* of August 15, 1840. It was listed as still published in the *Telegraph* of September 3, but as "dead" in the *Morning Star* of September 19, 1840.

†Tx 1839: Apr. 27 (Vol. I, No. I), May 25–July 17, July 31–Aug. 7. Aug. 21, Sept. 4–Nov. 6, Dec. 21.

1840: Jan. 11, Jan. 25, Feb. 1, Mar. 7–Apr. 11 (Vol. I, No. XLV).

[San Antonio] ALARM BELL OF THE WEST

See above under AUSTIN.

[San Antonio] CORREO DE TEXAS or TEXAS COURIER

In the prospectus printed by Asbridge at San Antonio on April 9, 1823 (Entry No. 4), it was proposed to publish this paper in Spanish and English every Wednesday morning, beginning April 16. On May 20 Austin wrote his brother from Monterrey: "I am told you have a newspaper in Bexar which I am rejoiced to hear it will be of incalculable advantage to Bexar and the whole Province." The press had been sold to the authorities at Monterrey by June 13, and was shipped to them on July 17, 1823. No copies have been located, and perhaps the paper was never published.

[San Augustine] JOURNAL AND ADVERTISER

Weekly. May 28[?] 1840—May 20, 1841.

This paper was printed on the press formerly belonging to the *Red-Lander* (San Augustine), which, as stated in the next entry, had folded up in December, 1839. It was published by A. W. Canfield, its editor and proprietor. Canfield was assisted by W. W. Parker, formerly editor of the *Red-Lander*, until the latter's death in October, 1840. Volume I was completed with the issue of May 20, 1841, and the following week the paper resumed the name of its predecessor, the *Red-Lander*.

Tx 1840: June 4 (Vol. I, No. 2)—June 25, July 9–July 16, Aug. 6–Aug. 13, Nov. 5–Nov. 19, Dec. 10–Dec. 31.

†1841: Jan. 7–Jan. 14, Jan. 28–Apr. 16, Apr. 29–May 20 (Vol. I, No. 52).

*TxU 1840: Nov. 19.

San Augustine LITERARY INTELLIGENCER

The following appears in the entry for "Friday the 22d [of December, 1843]" in the "Diary of Adolphus Sterne," edited by Harriet Smither, in the *Southwestern Historical Quarterly* for July, 1933, Vol. XXXVII, at page 45: "Mr Reed from San Augustin came from that place brought me several prospectuses for a Paper to be called the San Augustin Literary intelligencer, Edited or *Fathered* by L A. L [*i.e.* W.] Laird and T. M. Flatau [*i.e.* Flateau], the Paper to be a Methodist Paper—(oh! dear)—& to be under the management of a *Son of Abraham* verily I am tempted to believe in Parson Miller's Doctrine—". No other contemporary references to the paper have been found, and it probably never appeared.

[San Augustine] RED-LANDER, 1838–1839

Weekly. September, 1838—December 16? 1839.

In July or early August, 1838, W. W. Parker bought the press of the *Texas Chronicle* of Nacogdoches and moved it to San Augustine, where he began the publication of the *Red-Lander* in September. The *Austin City Gazette* of May 6, 1840, stated that the *Red-Lander* "died . . . about the month of December [1839]." By that time fifty-two numbers had been printed. As noted in the preceding entry, its press was next used to publish the *Journal and Advertiser*, beginning about May 28, 1840. The *Handbook of Texas* is quite in error in reporting that the *Red-Lander* and the *Journal and Advertiser*, which it correctly states was started in May, 1840, at San Augustine, were competing publications, and that the two papers were merged in 1841.

*TxU 1839: Oct. 5 (Vol. I, No. 46), photostat, location of original not indicated.

[San Augustine] RED-LANDER, 1841–1845+.

Weekly. May 27, 1841—December 25, 1845+.

This is the second *Red-Lander*. The first ended in December, 1839, and was followed in May, 1840, by the *Journal and Advertiser*. With the completion of its first volume the *Journal* was renamed the *Red-Lander*. Both the *Journal* and this *Red-Lander* were edited and published by A. W. Canfield. J. A. Whittlesey was named as editor with Canfield in the issue of July 7, 1842, and Henry W. Sublett in the issues of May 13 and May 20, 1843. George W. Morris was named as printer in the issues of March 27 and April 15, 1843. How long each of them served after those dates is not known. The latest issue located for the period of the bibliography is that of December 25, 1845. At that time Canfield seems to have still been the editor and publisher.

In a bitter quarrel between Canfield and De Morse of the *Northern Standard* (Clarksville), the latter paper in its issue of September 21, 1843, charged that Canfield had recently brought back from New York large quantities of counterfeit and spurious money with which he had flooded East Texas. The article went on to say that Canfield had stolen a large quantity of jewelry in New York.

DLC 1843: Oct. 7.

Tx †1841: May 27 (Vol. 2, No. 1), June 10, July 1–July 8, July 22– July 29, Aug. 12–Aug. 19, Sept. 9–Oct. 14, Oct. 28–Dec. 2, Dec. 30.

1842: Jan. 6, Apr. 14, *May 5, Aug. 27–Sept. 15, Sept. 29–Nov. 17, Dec. 8–Dec. 22. Next issue published Jan. 5, 1843.

†1843: Jan. 5, Jan. 26, Feb. 9–Feb. 16, Mar. 27, Apr. 15, Apr. 29, May 6–May 20, June 17–June 24, July 8, Aug. 5–Aug. 12, Sept. 2–Sept. 23, Oct. 7–Oct. 21, Nov. 4–Dec. 23. Next issue published Jan. 6, 1844.

†1844: Jan. 6–Mar. 9, Mar. 23–Aug. 3, Aug. 17–Dec. 28.

1845: Jan. 4–Feb. 8, Feb. 22–Apr. 12, Apr. 26–May 29, June 12, Sept. 11.

TxU *1841: Sept. 9–Oct. 26.

*1842: May 19–May 26, July 7–July 23.

†1845: Oct. 2–Nov. 13, Dec. 4–Dec. 18 (Vol. 6, No. 18).

[San Felipe] MEXICAN CITIZEN

Weekly. February 17? 1831—November or December, 1831.

This paper followed Volume I of the *Texas Gazette* (San Felipe), whose press was sold by Cotten to R. M. Williamson in January, 1831. The issues located thus far were published between March 17 and May 26, 1831, and were "Printed . . . by [John] Aitken & [R. M.] Williamson." The numbers of those issues indicate that for that period, at least, the paper was issued regularly. At some time after May 26 the *Citizen* was sold to Stephen F. Austin, Oliver Jones, Francis W. Johnson, Luke Lesassier and Samuel M. Williams. The names of the proprietors are given in an undated contract (Ms., Howard Collection, Dallas Historical Society), under which John Aitken was "to conduct and manage the said paper until the fifth day of March 1832." The contract must have been signed after May 26 for it provided that the following was to be printed at the head of the editorial column, "Printed & published by J. Aitken for the proprietors," and that statement had not appeared by May 26. The *Citizen* was apparently published until November 24, the date of an advertisement (republished in the *Texas Gazette* of January 10, 1832) in which Cotten announced that he had "again assumed the proprietorship of the *Paper* at San Felipe de Austin" and would resume publication of the *Gazette*. It may have been published as late as December 10, the date of an advertisement in which the proprietors announced that Oliver Jones was authorized to collect monies due them.

CtY 1831: Mar. 17 (Vol. I, No. 5)–Mar. 24, Apr. 21, May 26 (Vol. I, No. 15).

[San Felipe] TELEGRAPH AND TEXAS REGISTER

Weekly. October 10, 1835—March 24, 1836. Continued at Harrisburg, Columbia, and Houston.

Moved from San Felipe to Harrisburg, where one number was published on April 14, 1836; publication was resumed at Columbia on August 2, 1836. The press was moved to Houston after the issue of April 11, 1837, where publication was resumed May 2, 1837. For a short note on the *Telegraph* see its entry under Houston.

*CtY Oct. 17—Oct. 26, Nov. 7, 1835—Mar. 17, 1836.

DLC 1836: Feb. 20.

Tx Oct. 10, 1835—Jan. 16, 1836.

*TxDaHi Oct. 17, 1835, Jan. 9, Jan. 30—Feb. 27, 1836.

TxH Oct. 10, 1835—Mar. 24, 1836 (Vol. I, Nos. 1-21).

†Lacking: 1836: Mar. 17.

*TxSaA 1835: Oct. 31, Nov. 7.

1836: Mar. 12.

TxSaWi 1836: Mar. 12.

TxU Oct. 10, 1835—Mar. 24, 1836.

†Lacking: 1835: Dec. 26. 1836: Jan. 2, Mar. 5, Mar. 17.

*TWS 1835: Dec. 12.

1836: Mar. 24.

[San Felipe] TEXAS GAZETTE, Proposed

On April 2d, 1827, J. A. Bingham issued a prospectus for a weekly paper, the *Texas Gazette*, to be published in Texas, saying that "the precise town or place where the Gazette will be published, cannot, at this time, be definitely [*sic*] selected; but St. Philip is named." Publication was to begin as soon as possible after the money for 300 subscriptions had been deposited with Messrs. Burnett and Fullerton [David G. Burnet and Humphrey Fullerton] or Col. Austin. The prospectus is entered in Part II of this bibliography under the year 1827. Apparently the paper was never published.

There is no account of this paper in the *Handbook of Texas*.

[San Felipe] TEXAS GAZETTE, Volume I

Weekly. September 25, 1829—January 15, 1831.

Publication of the paper was suspended from November 7, 1829, until January 23, 1830, to free the press for the printing of Austin's *Translation of the Laws, Orders and Contracts, on Colonization* (Entry No. 12). In the last issue of Volume I (January 15, 1831) Cotten announced that he had sold the paper to R. M. Williamson. The latter began the publication of the *Mexican Citizen* (San Felipe) within the next few weeks. Charles A. Bacarisse had a good article on "*The Texas Gazette, 1829-1831*," in the

Southwestern Historical Quarterly for October, 1952, Vol. LVI, p. [239]-253.

†TxU 1829: Oct. 13, Oct. 31–Nov. 7.

1830: Jan. 23–Jan. 30, Feb. 13, Mar. 13–Mar. 27, June 12–June 19, July 31, Aug. 21, Sept. 25, Nov. 6.

*TWS Sept. 25, 1829–Jan. 15, 1831 (Vol. I, Nos. 1-52).

Lacking: 1830: Jan. 23, Feb. 20, May 1, Sept. 11, Sept. 18, and No. 51, published after Nov. 27, 1830, and before Jan. 15, 1831.

[San Felipe] TEXAS GAZETTE, Volume II

Weekly. December 27? 1831—March, 1832.

This paper followed the *Mexican Citizen* (San Felipe de Austin). In an advertisement (reprinted in the *Gazette* of January 10), headed "The Texas Gazette Resuscitated by G. B. M. Cotten," and dated November 24, 1831, Cotten announced that he had "again assumed the proprietorship of the *Paper* at San Felipe de Austin," and that the revived *Gazette* would be published "on a Royal Sheet with new type." The paper was numbered in continuation of Cotten's original *Gazette*, with Volume II, No. 1, published sometime in December, 1831. The latest issue located is that of February 28, 1832, but it appears from advertisements in Volume I, No. 1 of the *Texas Gazette and Brazoria Commercial Advertiser* (Brazoria), April 14, 1832, that one more issue was published at San Felipe, on or soon after March 15, before Cotten moved his press to Brazoria. For a fuller account of Cotten and the *Texas Gazette* see the "Sketch of Printing" here.

CtY 1832: Jan. 10 (Vol. II, No. 3), Feb. 18.

*TWS 1832: Feb. 28 (Vol. II, No. 7).

San Luis ADVOCATE

Weekly. August 31? 1840—April or May, 1842.

Though the indicated date of the first issue of the *Advocate* is August 31, 1840, the first number was commented on in the September 1 issue of the *Morning Star* (Houston) and in the *Brazos Courier* (Brazoria) of the same date, so it was probably issued a few days earlier. The paper was printed and published by S[amuel] J. Durnett for T[od] Robinson & Co. According to the *Handbook of Texas*, Robinson and Matthew Hopkins, who was later the editor of the *Planter* at Columbia, were the editors of the *Advocate*. After a suspension of several months, publication was resumed late in December, 1841, with Ferdinand Pinckard as editor. On March 29, 1842, the *Morning Star* reported that the office of the *Advocate* was soon to be moved to Galveston, and on May 12 that "the 'new paper' . . . had not made its appearance, owing to the loss of the printing materials. The vessel that was conveying them to Galveston was sunk in the bay, in about fourteen feet of water. They will probably be recovered soon." The "new paper" was the

Texas Times. The last number of the *Advocate* at San Luis must have been Volume I, No. 41, for its subscribers were promised the first eleven numbers of the *Times* to complete that volume.

*DLC 1840: Sept. 14 (Vol. I, No. 3), Nov. 11.
1841: May 11.

*TxU 1840: Sept. 28, Oct. 6–Oct. 27, Nov. 11–Dec. 10.
1841: Jan. 22–Feb. 16, Mar. 2–Mar. 23, Apr. 13–Apr. 20, June 22 (Vol. I, No. 33).

[San Luis] MEDICAL AND SURGICAL JOURNAL

The following notice appeared in the *San Luis Advocate* of October 20, 1840:

Doct's Richardson and Smith propose to edit a Medical and Surgical Journal, to be published in the office of the San Luis Advocate, at the city of San Luis. It is intended to present to the reader, in a condensed form, not only the improvements in the science, but a faithful portrait of the prevailing endemics of Texas, their treatment and medical topography. The first number will appear in January next. It will be published quarterly, and contain about sixty-four pages, octavo. . . . Being the first Journal wholly of a literary character, or devoted entirely to professional pursuits [*sic*], which has been started in Texas, we feel much interested in its success, and commend the enterprise with our warmest advocacy.

I have suggested in the note to Entry No. 334 that Dr. Smith may have been Ashbel Smith. As far as I know the proposed journal was never published. It is not mentioned in the *Handbook of Texas*.

[Sarahville] TEXAS EMIGRANT

Dr. Malcolm D. McLean has called my attention to the "Prospectus of a Paper to be published in Sarahville, Texas, to be called the *Texas Emigrant*," signed by A[nderson] Buffington and D. Cameron, and printed in the *National Banner and Nashville Whig* (Nashville, Tennessee) of October 26, 1835. Sarahville de Viesca was located at the falls of the Brazos on the west bank of the river near present Marlin, and was the site of the land office for the Robertson Colony. The paper was to have been a weekly. No copies have been located and probably none were ever published. Dr. McLean says that while Buffington was sworn in as one of Robertson's colonists on January 10, 1836, there is no evidence that Cameron, the other partner, ever reached the Colony. For a sketch of Buffington see the *Handbook of Texas*. In April, 1841, he began the publication of the *Tarantula* at Washington, Texas. Neither the *Texas Emigrant* nor the *Tarantula* is mentioned in the *Handbook of Texas*.

Velasco HERALD

Weekly? Before March 14, 1837—Not later than January, 1838.

The *Telegraph* acknowledged receipt of the first number of the *Velasco Herald* in its issue of March 14, 1837. The press of the *Herald* was that which had been used by F. C. Gray at Brazoria until August, 1836. In 1837 it belonged to Mirabeau B. Lamar, for in late December, 1837, and early January, 1838, he attempted to sell it to J. D. Cocke (see *Lamar Papers*, No. 650, Vol. II, p. 13, and No. 665, Vol. II, p. 28-29). As this did not work out, Lamar on January 25, 1838, agreed to loan the press to Thompson and Léger (*Lamar Papers*, No. 666, Vol. II, p. 29), who used it from February through July, 1838, in publishing the *People* at Brazoria. The *Herald* may have been published as late as January, 1838, for it was listed in *Niles' National Register* (Washington, D. C.) of February 10, 1838, as one of the "five weekly newspapers now published in Texas," but it probably ceased publication before Lamar began to negotiate for the sale of his press. The latest reference to the paper Frantz found in contemporary Texas newspapers was a credit line in the *Telegraph* of June 20, 1837.

*TxSaA Extra: April 21, 1837 (Entry No. 224).

[Washington] BRAZOS FARMER

The *Handbook of Texas and Texas Newspapers, 1813-1939*, are apparently mistaken in saying that there was a paper called the *Brazos Farmer* published at Washington early in 1842, which was combined in June, 1842, with the *Weekly Texian* (moved to Washington from Austin) to form the *Texian and Brazos Farmer*. No copies of a *Brazos Farmer* have been located, and no references to such a paper appear in the extant newspapers of the first half of 1842. Instead, it appears from the *Telegraph* of July 6, 1842, that on the move to Washington on the Brazos the name of the *Weekly Texian* was changed to the *Texian and Brazos Farmer*. In 1843 the *Texian and Brazos Farmer* was occasionally referred to by other newspapers as the "Brazos Farmer."

[Washington] NATIONAL REGISTER

The entry under this title in the *Union List of Newspapers and Texas Newspapers, 1813-1939* should be for the *Texas National Register* (Washington).

[Washington] NATIONAL VINDICATOR

Weekly. June 3, 1843—At least November 30, 1844. Suspended in September, October, and part of November, 1843.

At the beginning of June, 1843, Thomas Johnson renamed his *Texian and Brazos Farmer* the *National Vindicator*. His statement of policy on making

the change is reprinted in the issue of July 1, 1843, where it is misdated June 3, 1842, for June 3, 1843. It appeared in successive issues and by June 1, 1844, was misdated March 3, 1842, for June 3, 1843. This accounts for Frantz's reference to a prospectus of the *Vindicator* dated March 3, 1842. Although the issue of November 30, 1844, is the latest located, the paper may have been published until early in 1845. Certainly the press was still in operation at Washington in January, 1845, for Nos. 620, 621, 631, and 634 here were all printed at the *Vindicator* office there in 1845, the two latest at some time after January 25. The *Handbook of Texas* is mistaken in suggesting that the *Vindicator* became the *Texas National Register* in December, 1844. The press on which the *Register* was printed, beginning in December, 1844, was not that of the *Vindicator*, but was brought from Houston, where it had been used until October in publishing the *Texian Democrat*.

DLC 1844: July 6.

*DNA 1843: July 1 (Vol. I, No. 5)—July 8.

1844: June 1, Nov. 30 (Vol. III, No. 9).

Extra published on or soon after June 15, 1843 (Entry No. 572).

(All in Diplomatic Despatches, Texas, Vol. 2.)

*TxU 1843: Nov. 25 (Vol. I, No. 15)—Dec. 16, Dec. 30.

1844: Jan. 13, Feb. 3—Feb. 10, Apr. 13—Apr. 20, Aug. 17 (Vol. I, No. 51).

*TWS Extra published on or soon after June 15, 1843 (Entry No. 572).

[Washington] TARANTULA

Weekly? Late March or early April, 1841—At least January, 1842.

The receipt of the *Tarantula*, described as a new paper, was reported in the *Austin City Gazette* of April 21, 1841. No reference to it in the contemporary papers later than that in the *Daily Bulletin* (Austin) of January 15, 1842, cited by Frantz, has been found. According to Laurence L. Hill's *Sixty Years on the Brazos*, Los Angeles, 1930, at page 47, Mr. Alfred Brigrance was a partner of Buffington's in the enterprise. No copies of the paper have been located.

[Washington] TEXAS EMIGRANT

Weekly. July 6? 1839—August or September, 1840.

The *Colorado Gazette and Advertiser* of August 1, 1839, reported the establishment of the *Emigrant* by J. Warren J. Niles and continued, "We believe that this is the first paper ever published in that section of the republic." The *Morning Star* (Houston) of April 24, 1840, reported the paper as dead, but the *Austin City Gazette* of June 17, 1840, under the heading, "Resurrection from the Dead," announced that it "has suddenly burst the

icy fetters of death-like trance and sprung again into existence." Its final demise was recorded in the *Austin City Gazette* of September 30, 1840.

Tx 1839: Aug. 31 (Vol. I, No. 9).

[Washington] TEXAS NATIONAL REGISTER

Weekly. December 7, 1844—October 9, 1845. Continued at Austin.

The prospectus of this paper, dated Washington, Texas, November 12, 1844, and signed by W. D. Miller and W. H. Cushney, was printed in the *Telegraph* of November 20, 1844. The press was brought from Houston where it had been used until October, 1844, in publishing the *Texian Democrat*. The first number was preceded by an extra of December 4, 1844 (Entry No. 606). The paper was sold to John S. Ford and Michael Cronican after the issue of October 9, 1845. They moved the press to Austin, where publication of the *Register* was resumed with the issue of November 15.

*DNA 1845: Apr. 24.

Extra: Apr. 16, 1845 (Entry No. 653).

(Both in Diplomatic Despatches, Texas, Vol. 2.)

*Tx 1845: Sept. 18.

Extras: May 8, 1845 (Entry No. 654), June 6, 1845 (Entry No. 655).

*TxU Dec. 7, 1844—Oct. 9, 1845 (Vol. I, Nos. 1-44).

Extras: Dec. 4, 1844 (Entry No. 606), Apr. 16, 1845 (Entry No. 653).

*TWS Extras: Dec. 4, 1844 (Entry No. 606), June 6, 1845 (Entry No. 655).

[Washington] TEXAS REPORTER

A prospectus, dated Washington, January 14, 1836, and signed, Wm. W. Gant and Andrew J. Greer, for publishing there a weekly to be called the *Texas Reporter*, "publication to commence early in March next," was printed in the *Texas Republican* (Brazoria) of February 17, 1836. The fact that the Convention of March, 1836, was to assemble at Washington is given as one of the reasons for starting the paper. As far as is known it was never published.

There is no account of this paper in the *Handbook of Texas*.

[Washington] TEXIAN AND BRAZOS FARMER

Weekly. June 25? 1842—May, 1843.

Followed the *Weekly Texian* of Austin, the office of that paper having been moved to Washington by G. H. Harrison, its owner, and the newspaper's name changed to the *Texian and Brazos Farmer*. Thomas Johnson an-

nounced his purchase of the paper from Harrison in a prospectus dated November 12, 1842 (reprinted in the issue of April 15, 1843). Early in June, 1843, he changed the name of the paper to the *National Vindicator*.

DLC 1843: Apr. 15.

ICN 1843: Apr. 22 (Vol. I, No. 42).

TxU 1842: Sept. 10 (Vol. I, No. 12) missing in August, 1953.

1843: *Jan. 28.

No Place TEXIAN STAR AND JOURNAL OF COMMERCE AND NEWS

No copies have been located, and probably the paper was never published. Its prospectus, signed by W. M. Savage and dated Oxford, N. C., August 28, 1836, was reprinted in the *Telegraph* of October 25, 1836. The paper was to have been a weekly or semi-weekly, as the number of subscriptions determined. General Memucan Hunt was said to be associated with the enterprise. Savage claimed that he had received encouragement enough to insure the publication of the paper, but no place of publication was mentioned in his prospectus.

There is no account of this paper in the *Handbook of Texas*.

APPENDIX B

Unidentified Public Documents

This Appendix lists, in chronological order, imprints known through printers' bills against the government of Texas for the years 1835 through 1845, but not there described sufficiently to permit their entry in the main list. It is based on the bills which could be found in the Archives of the Republic of Texas at the Texas State Library in the summer of 1954, and is included in the hope that the information given may contribute eventually to the identification of these imprints.

- B 1. Handbills "Information from Committee at San Felipe" \$40
Entered under October 12, 1835, in F. C. Gray's bill for printing done from October 12, 1835, through July, 1836.
- B 2. Handbills Columbia Meeting, by order of Meeting \$40
Entered under October 20, 1835, in Gray's bill referred to in No. B 1.
- B 3. Express from Committee at San Felipe, in handbills \$25
First entry under November, 1835, in Gray's bill referred to in No. B 1.
- B 4. Handbills from Fannin "To the Georgia Battallion" \$30
Second entry under November, 1835, in Gray's bill referred to in No. B 1.
- B 5. Col. Gonzales' proclamation to the troops of the permanent army 500 cop. E \$40
Item "E," entered under December 3, 1835, in Baker & Bordens' bill for printing done from November 27 through December 24, 1835.
- B 6. 500 copies of long Handbills from Goliad calling men to Arms \$50
Fourth entry under December, 1835, in Gray's bill referred to in No. B 1.
- B 7. Archer's address, as President of Consultation 300 Copies \$30
Fifth entry under December, 1835, in Gray's bill referred to in No. B 1. This was presumably a separate printing of Archer's address of November 3, 1835, which is printed in No. 90 in the main list.

- B 8. Handbills from Col. Hall calling on Farmers for negroes \$15
First entry under January, 1836, in Gray's bill referred to in No. B 1.
- B 9. Handbills Brazoria Meeting R. Miles Chairman 100 copies \$30
Second entry under January, 1836, in Gray's bill referred to in No. B 1.
- B 10. Recruiting hand bills pr order of M. K. Snell, Captain \$10
F. C. Gray's bill of August 31, 1836. Snell was the commanding officer of Company E, 1st Regiment of Infantry, Texas Army.
- B 11. 200 proclamations in Spanish \$20
Entered under December 2, 1837, in Cruger & Moore's bill for printing done from August 12 through December 2, 1837. This may have been a printing of Houston's proclamation of November 25, 1837, calling for elections in San Augustine County (*Writings of Sam Houston*, Vol. II, pp. 161-162).
- B 12. 500 copies royalty report 4 pages 1st 250 \$15 2nd 250 \$10 \$25
Seventh entry in Niles & Co.'s bill of May, 1838. This report was printed for the Department of State.
- B 13. 300 Copies Statement of Collectoral Expenses (full Sheet folio post Rule & figure work) at \$100 for 1st hundred and \$50 for Each Succeeding hundred—\$200
Entered under May 18, 1838, in Cruger & Moore's bill for printing done from April 28 through May 24, 1838. This may be No. 302 in the main list.
- B 14. 200 hand bills of proclamations \$30
Fourth entry in Niles & Co's bill of July 7, 1838.
- B 15. 200 Proclamations on Letter Sheet paper \$62.50
Entered under February 15, 1839, in Whiting's bill for printing done for the State Department on February 15 and February 22, 1839.
- B 16. 200 Proclamations by order of President \$75
First entry in Whiting's bill of February 15, 1839.

- B 17. 200 Proclamations To the People of Texas \$75
Second entry in Whiting's bill of February 15, 1839.
- B 18. 100 Copies of Genl Ordr. No. 9 \$30
Whiting's bill of August, 1839, for printing done for the Adjutant General's Department.
- B 19. 100 Brigade orders No. 1 \$30
Entered under March 1, 1840, in bill of Osborn & Conger, Proprietors of the *Daily Times*, for printing done for General Edwin Morehouse, Brigadier General, Second Brigade, Texas Militia, from March 1 through April 27, 1840.
- B 20. 50 hand bills \$15
Cruger & Bonnell's bill of May 20, 1840, for printing done for the Adjutant and Inspector General of the Republic of Texas.
- B 21. Fifty Notices \$25
Cruger & Bonnell's bill of May 26, 1840, for printing done for the Adjutant & Inspector General of the Republic of Texas.
- B 22. 50 Artillery notices \$20
Cruger & Bonnell's bill of June 5, 1840, for printing done for the War Department.
- B 23. 50 Hand Bills calling for Volunteers \$15
Cruger & Moore's bill of June 22, 1840, for printing done for the War Department.
- B 24. 150 circulars "To Chief Justices of Counties" \$65
Cruger & Wing's bill of April 22, 1841, for printing for the Commissioner of the General Land Office.
- B 25. 50 Bills - - "Santa Fé Expedition" \$40
First entry in Whiting's bill of May, 1841, for printing done for the Quarter Master's Department.
- B 26. 100 Muster Rolls "Santa Fé Pioneers" \$80
Second entry in Whiting's bill of May, 1841, for printing done for the Quarter Master's Department.
- B 27. 100 copies of Address to post up \$25
Fourth entry in Whiting's bill of June 16, 1841, for printing done for the Department of State in preparation for the Santa Fé Expedition.

- B 28. Hand bills addressed to citizens \$15
Entered under March 10, 1842, in Whiting's bill for printing done for the War Department from March 10 through March 18, 1842.
- B 29. Hand bills addressed to citizens when Mexicans left Bexar \$15
Entered under March 12, 1842, in Whiting's bill referred to in No. B 28.
- B 30. 200 Proclamations, issued first at Galveston \$15
Entered under March 18, 1842, in Whiting's bill referred to in No. B 28.
- B 31. 150 Handbills "Mail Routes" \$10
Entered under January 15, 1843, in Thomas Johnson's bill of February 4, 1843, for printing done for the Bureau of the General Post Office.
- B 32. Circular to assessors \$8.33
Entered under April 24, 1844, in Thomas Johnson's bill for printing done for the Treasury Department on April 13 and April 24, 1844.
- B 33. 500 circulars \$25
Entered under February 8 in Miller & Cushney's bill of July 24, 1845, for printing done for the General Post Office.
- B 34. 20 copies of various acts relative to Treasury Department \$5
Entered under February 10, 1845, in Miller & Cushney's bill of June 13, 1845, for printing done for the Treasury Department.
- B 35. 50 copies of Circular to County Treasurers \$5
Entered under February 20, 1845, in Miller & Cushney's bill of June 13, 1845, for printing done for the Treasury Department.

APPENDIX C

Data on the Journals of the Convention of March, 1836, Entered as No. 162 in This Bibliography

That the Journal was both rare and incomplete in 1841, or only five years after the Convention, is shown by a letter, now in the Franklin Papers at the University of Texas, which Acting Secretary of State Roberts wrote on June 29, 1841, to Benjamin C. Franklin. This was in answer to a request Franklin had made of President Lamar (*Lamar Papers*, No. 2048, Vol. V, p. 479) to get for him a "copy of the Journals of the Genl Convention that met the 1st of March 1836" saying, "there was a no. [i.e., number] printed at the Telegraph office in 1836 at Columbia." I owe the text of this Roberts letter to the characteristic willingness of Mr. Winkler to pass on to others the results of his own researches. The Roberts letter read in part:

I have accordingly ascertained by examination in the State Department that there is but *one* printed copy of the journals of the Convention in the dept—This was printed in 1836 at Columbia and brings the proceedings only to the night of the 15th March—The proceedings of the two last days (16 & 17) are on file in the office [in manuscript] as well as the proceedings up to the night of the 10th [in manuscript]—The journal (the original I mean) of the intermediate days viz the 11th, 12, 13 & 14th are not on file and I am informed by the Chief Clerk have never been in the office since he has had any acquaintance with the department—An authentic record therefore of those days cannot be had—Mr. Waples informs me that you can get at the Telegraph office a printed copy such as we have which contains the proceedings up to the night of the 15th & not of the 13th as you seem to imagine—The last two days making about eight pages of foolscap I have employed a clerk to copy for you.

On August 5, 1841, Roberts again wrote Franklin enclosing "a certified copy of the last two days of the proceedings of the Convention" with the clerk's bill for copying.

These unqualified statements of Franklin and Roberts that the *Journals* were printed at Columbia in 1836 are confirmed, to the extent at least that they were printed on the press which Baker and Bordens established at Columbia in August, 1836, by an examination of the typographical setup of the *Journals* made for me by an expert in such matters, my friend John C. Wyllie, Curator of Rare Books at the University of Virginia Library. It may be inferred that this printing was after November 12, 1836, for on that day a resolution was introduced in the Senate, but laid on the table, which authorized the printing of "the proceedings of . . . the convention of March last."

There are references to printing of the ordinances and laws passed by the Consultation, the Provisional Government and the Convention in the later journals (Senate Journal for November 14, 1836; House Journal for November 7, 1837, and November 6, 1838), but I find no further reference to the printing of the Journal of the Convention, either in the Journals of Congress or anywhere else until the fall of 1840. By September 25, 1840, Harvard had received her copy, the gift of Mr. Justice Story.

On November 6, 1840, a motion for printing "the Journals of the Convention in 1836" was voted down in the House. That the Journal as already printed did not include a record of the March 16 and 17 proceedings is indicated by the fact that on November 10, 1840, a motion was passed instructing the Committee on Public Printing "to contract with messrs. Cruger & Moore for the completing of the journals of the convention, in such manner as may be necessary for their distribution, the printing of which has been paid for by the government." No bills for this printing have been found. This resolution for completing the Journal presumably applied to the proceedings for March 16 and 17 which were still in manuscript form.

While the evidence is conclusive that the *Journals* entered here were not printed at San Felipe, it should be recorded that the Baker and Bordens account approved July 6, 1836 (Ms., Texas State Library), has under date of March 22, 1836, a charge of \$75 for printing 1000 copies of the "Eight first pages of proceedings of the Consultation [i.e., Convention]." No copies of these eight pages are now known but it may be surmised that on March 22, the Convention having then adjourned, Baker and Bordens started the printing as a result of a resolution offered by S. H. Everitt and passed by the Convention on March 15 (Gammel, Vol. I, p. 897) "that a committee of three be appointed to superintend the making out and publishing a copy of the proceedings of this house, and that said committee be authorized to have 500 copies printed and distributed to the members of the house for the benefit of their constituents, and that they have power to forward documents by express riders." The disappearance of these eight pages is easy to understand in view of the fact that the last issue of the *Telegraph* printed at San Felipe was that of March 24, and that shortly afterwards the press was moved to Harrisburg, where, after a few copies of the next issue, that of April 14, had been printed, Harrisburg was evacuated and the press thrown into Buffalo Bayou by the Mexicans.

Though this note is already long, I think some reference should be made to the manuscript sources and to the Gammel text of 1898. The

status of the manuscript records in the Texas Archives, now in the State Library, is briefly referred to by Dr. Rupert Richardson in the bibliography following his interesting article, "Framing the Constitution of the Republic of Texas," in the *Southwestern Historical Quarterly* for January, 1928, Vol. XXXI, p. [191]-220 at p. 218. Dr. Richardson says in part:

Among the journals there is a record of each day's proceedings kept on separate sheets for each day. Also, there is an enrolled copy of the journal covering the first ten days of the convention but left off entirely for the time thereafter.

Thanks to the kind coöperation of Miss Harriet Smither, my assistant at Austin, Mrs. Malcolm D. McLean, was able to make a thorough examination of the same manuscript records and gave me a careful report of their contents. I am inclined to think that the enrolled copy which Dr. Richardson refers to is probably the same as the proceedings "up to the night of the 10th," which Secretary of State Roberts mentioned in his letter to Franklin. It is a manuscript draft in two handwritings, on pages numbered through 44, for the sessions through part of March 10 where the manuscript breaks off in the middle of a sentence. There are scattered sheets for each of the sessions from the first through that of March 15 and at the Grand Lodge a record for the proceedings of March 16 and 17, which Secretary of State Roberts had certified for Franklin. This certified copy, incidentally, is laid in the Grand Lodge copy and is the text which Gammel follows for these two days in his 1898 reprint.

Mrs. McLean finds that the forty-four-page manuscript draft for the period March 1-10, which Dr. Richardson refers to as the "enrolled copy," differs in many respects from the text of the original printed *Journals*, but that the scattered manuscript sheets for the different days do check fairly well with the printed *Journals*, though for some of the text of the *Journals* no corresponding manuscript can be found.

It further appears that there was a separate manuscript for the "Rules of the Convention" which are given in the printed record of the March 2 session, but no separate manuscript for the Declaration of Independence, though this was in the "enrolled copy" for the period March 1-10, and that the archives contain some interesting manuscripts on the session of March 15, the contents of which are lacking in the 1836 printed *Journal*. These include resolutions offered by Sydney O. Penington and George C. Childress, and a record that Sterling C. Robertson addressed the convention. This was presumably to present a petition from his colonists to the convention that the land office in the colony be opened. The original of this petition is among the Robertson papers held by his descendants. For the ses-

sions of Wednesday and Thursday, March 16 and 17, which were not reported at all in the 1836 Journal, there are in the archives records of the election of the officers of the interim government on March 16, and a detailed undated memorandum showing how each member voted. There is none of this in the report of "the two last days making about eight pages of foolscap," which Roberts had certified for Franklin and which Gammel printed in his 1898 publication of the Journal.

One of the most important acts of the last two days of the Convention was the passage on March 16 of the Executive Ordinance, with its fourteen resolutions, setting up the organization of the interim government which was to govern Texas until the permanent government provided for in the constitution began to function. There is no mention of the Executive Ordinance in the Journal of the Convention published by Gammel, but it was printed in the *Telegraph and Texas Register* for August 16, 1836, and in the *Ordinances and Decrees of the Consultation, Provisional Government of Texas and the Convention*, Houston, 1838, it being the only ordinance of the Convention printed in the *Ordinances and Decrees*. Miss Harriet Smither has found the original manuscript of this ordinance in Letter Book No. 3, [II/5] manuscript, p. 119-120, Texas State Archives. Another ordinance passed by the Convention on March 16, but not mentioned in the Gammel Journal or in *Ordinances and Decrees* referred to above, was an Ordinance Granting Bounties of Land to Volunteers. This is printed in the *Telegraph* for August 23, 1836, with a note saying that it had been previously printed "in the only number of our paper issued at Harrisburg"; this was the issue of April 14, 1835. The Journal as printed by Gammel also fails to record the organization of the interim government or the adoption of the Constitution, both of which, according to Gray's diary in his *From Virginia to Texas, 1835*, Houston, 1909, took place at a late hour the night of Wednesday, the 16th.

The authorities at the University of Texas Library have kindly sent to me for examination their photostat of the Grand Lodge printed copy. It appears from the photostat that the missing printed pages in the Grand Lodge copy, that is, pages 19-26, 35-42, 75-90, are supplied in manuscript. The first two gaps are said by Mr. Winkler to be in the handwriting of William Fairfax Gray, and the manuscript for the pages 75-90 gap bears a notation that it is by his son, Peter W. Gray. In the University of Texas photostat of the Grand Lodge copy are photostats from the Harvard Law School copy of pages 35-42, 75-90 of the original printed *Journals*, but for some reason there is no photostat of Harvard's printed pages 19-26.

The Peter W. Gray draft for the last two days, though not giving as much information as the manuscript records in the Archives, does record the election of the officers of the interim government on March 16, but as said above Gammel followed the certified copy from which this important feature was omitted.

Recently Mr. Arthur C. Pulling, Director of the Harvard Law School Library, was kind enough to have made for me a comparison of that part of the Gammel reprint which was made from the manuscript part of the Grand Lodge copy, with the original printed pages at the Harvard Law School Library. This comparison showed that though there are a great many minor differences between the original printed copy and the Gammel reprint in spelling of names, wording of action on resolutions and the like, the only important ones are the interpolation in the Gammel reprint of the proceedings for March 15 of the Fisher "Report on the African Slave Trade" (Gammel, Vol. I, p. 896), and another interpolation at the end of the record of the session of March 15, "A Letter from Genl. Sam Houston, announcing the fall of the Alamo, was read by the President." These two interpolations are called for by the Peter W. Gray manuscript. The "Report on the African Slave Trade" was ordered printed, but no copy is known to have survived. See No. 164 for its entry here.

Whoever edits a new edition of the Journal will probably spend some time in considering a manuscript record of the sessions of the Convention given to the Dallas Historical Society. This breaks off abruptly, as does the "enrolled copy" in the Texas Archives, in recording the session of March 10, and, like the "enrolled copy," is said to differ in many respects from the printed Journals. Possibly it is another copy of the "enrolled copy."

Years ago I had some experience with this particular manuscript, as it was suggested to me by Valta Parma, then Curator of Rare Books at the Library of Congress, that I buy it for my collection. I remarked that I only felt like paying enough for the manuscript to have the fun of studying it and trying to decide what importance should be given to it, for it seemed to me that if it developed that the manuscript was what might be called "official," I would be in duty bound to turn it over to the State of Texas, who would have legal title to it, if it was "official"; and if not "official," it was of no great commercial value. As it was, I did make quite a study of the manuscript and came to the conclusion that it was not in the handwriting of any of the secretaries of the Convention and was probably a copy of some early draft. I learned later that the authorities at the University of Texas had come to a similar conclusion.

This did not sit very well with Mr. Parma and the owners of the manuscript, and subsequently an elaborate brochure, undated and without imprint, was put out on the manuscript with the title reading: *The Most Important Texas Historical Document in Existence. The Only Extant Formal Manuscript Journal of the Convention Which Declared the Independence of Texas in 1836*. This reproduced a letter from Mr. Parma to Frank Glenn of Kansas City extolling its value and saying, "there is evidence that a record answering the description of this Journal was at one time in the archives at Austin." As the brochure describes the manuscript as "Bound in the original marble boards and calf, lettered on backstrip 'Journal of Convention 1836'," Mr. Parma may well have been correct.

In this note I have referred to the copy of the Journal at the State Department and to copies at the Telegraph Office in 1841, both of which only recorded the proceedings to the night of March 15. David G. Burnet in his *Review of the Life of Gen. Sam Houston* by J. T. Towers, Galveston, 1852, says, p. 4, "I refer to the Journals of that Convention—they are extant; I have a copy, but it is not before me." All three of these copies have disappeared unless one of them is the copy now at the Grand Lodge at Waco. The other surviving copy, that at Harvard, could not be one of these copies for, as I have stated above, their copy came to them on September 25, 1840, the gift of Mr. Justice Story.

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1839: Nos. 316, 317

1841: Nos. 441, 467

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1840: Nos. 380, 380A

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1840: No. 393

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 1838: No. 227
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 Publications, all at San Felipe de Austin, with imprints supplied or in
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 1832: No. 27
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 1839: No. 334
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1840: Nos. 430, B20, B21, B22

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1837: Nos. 208, B11

1838: No. B13

1839: No. 334

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1844: Nos. 594, 596, 603

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1841: Nos. 453, 455, B24

For other publications of the partners *see* their *Texas Sentinel* (Austin).

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1842: No. 512

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1840: No. 388

1841: No. 437

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 1823: Nos. 4, 5, 6, 7, 8
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 Publications, with imprints supplied or in the forms "F. C. Gray Printer." or "Printed by F. C. Gray."
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 1836: Nos. 118, 119, 122, 124, 126, 130, 135, 136, 144, 152, 153, 166, 175, 176, 177, B8, B9, B10
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1841: Nos. 463, 470, 472, 473

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1843: Nos. 554, 566, 568, 569, 571, 575, B31
1844: Nos. 582, 595, 600, B32
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- Journal and Advertiser* (San Augustine), pp. liii, lv; sketch, p. 541

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- LaGrange Intelligencer*, pp. lix, lxi; sketch, p. 534
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1841: No. 450

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1817: Nos. 1 (Mouth of the Rio Grande), 2 (Galveston)

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 1845: Nos. 626, 627, 635, 636, 651, 652, B33, B34, B35
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- Mims, William D., at Galveston, p. l; at La Grange, pp. li, lxi, 534
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 1845: No. 638
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- Morning Star* (Houston), pp. li, lxi, 503, 504; sketch, p. 529
- Morris, George W., at Austin, p. 507; at San Augustine, p. 542
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- National Banner* (Houston), pp. xlvii, xlviii, xlix, l; sketch, p. 528
 Publications, with imprints supplied or in the forms "National Banner Office—Niles & Co., Printers." or "National Banner Press, Niles & Co., Printers."
 1838: Nos. 232, 246, 252, 253, 254, 256, 268, 270, 276, 282, 291, 293, 293A, 293B, 293C, 308, 309, B12, B14
- National Intelligencer* (Galveston), p. lv; sketch, pp. 521-522

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 Publications, with imprints supplied or in the forms "Intelligencer Office.", "National Intelligencer Office.", or "Intelligencer Office—S. Whiting, Printer."
 1839: Nos. 311, 313, 335, 337, 338, 340, 341, 343, 355, 355A, 362, 363, 364, 365, 366, 372, 372A, 374, 376
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- National Vindicator* (Washington), pp. lviii, lix, 443; sketch, pp. 547-548
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 1843: Nos. 567, 572, 573, 577, 579
 1844: Nos. 580, 581, 583, 587, 591, 592, 593, 597, 598, 599, 601, 602, 604, 605, 607, 609, 610, 611, 614
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 Publications, with imprints supplied or in the forms "Imprenta de la Nueva Era, al cargo del Co. Miner", "Printed at the Office of the 'New Era.'", or "Impreso en la Oficina de la 'Nueva Era.'"
 1845: Nos. 637, 639, 640, 641, 642, 643, 644, 645, 646, 647, 649, 656, 663, 664
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- News*, see
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- Niles, J. Warren J., pp. xlvi, xlvii, xlix, 528, 535, 548
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1843: No. 553

1844: Nos. 608, 615

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Telegraph and Texas Register (Successively at San Felipe de Austin, Harrisburg, Columbia, and Houston)

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